

# **CITY OF SAN ANTONIO**

## **Zoning Commission Agenda**

Board Room  
First Floor, Development Business Service Center  
1901 S. Alamo

**March 7, 2006**  
**Tuesday, 11:00 A.M.**

### **ZONING COMMISSIONERS**

Michael Westheimer – District 1	Jody Sherrill – District 7
Juretta Marshall – District 2	Dr. Morris A. Stribling – District 8
Don Gadberry – District 3	Susan Wright – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Henry Avila – District 4	
Chairman	

1. **Work Session presentation by zoning staff to discuss **update on Fair Notice**, zoning case recommendations and other items for consideration on agenda for March 7, 2006, at 11:00 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. Approval of February 21, 2006 Minutes.
7. Presentation and consideration of a proposed amendment to Chapter 35 of the City Code providing for a waiver of required sidewalk construction for residences under certain guidelines and the incorporation into the UDC of an editorial comment advising the reader of the availability of Federal Tax credits related to certain American with Disabilities Act (ADA).
8. **ZONING CASE NUMBER Z2006015:** The request of Brown, P. C. Attorneys at Law, Applicant, for Rogers Shavano Park Unit 18/19 Ltd., Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District on 2.105 acres out of NCB 15011, North Loop 1604 West. (Council District 9)

9. **ZONING CASE NUMBER Z2006019:** The request of Padmasiri Somawardana, Applicant, for Padmasiri and Prabha Somawardana, Owner(s), for a change in zoning from “O-2” Office District to “C-2” Commercial District on Lot 17, Block 2, NCB 17176, 5900 Block of Babcock Road. (Council District 7)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
10. **ZONING CASE NUMBER Z2006036 CD:** The request of John Duncan, Applicant, for John Duncan, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “R-5” (CD- Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Parking Lot on Lots 11 and 12, NCB 6932, 3110 Nogalitos Street. (Council District 5)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
11. **ZONING CASE NUMBER Z2006046:** The request of Brown, P. C., Applicant, for Myrtha Gersdorff, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “MF-33” Multi-Family District on 1.49 acres out of NCB 14618, 8288 Eckert Road. (Council District 7)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005278 CD:** The request of Marissa Castro, Applicant, for Juan Castro, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “R-4” (CD-Beauty Shop) Residential Single-Family District with a Conditional Use for a Beauty Shop on Lot 22, Block 3, NCB 9667, 2239 Basse Road. (Council District 1)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2006037 CD:** The request of Ellsworth & George Sullivan, Applicant, for Ellsworth & George Sullivan, Owner(s), for a change in zoning from “H” “RM-4” Historic Residential-Mixed District to “H” “R-6” CD Historic Residential Single-Family District with a Conditional use for multi-family not to exceed 3 units on Lot 17, Block 5, NCB 723, 115 Devine Street. (Council District 1)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
14. **ZONING CASE NUMBER Z2006040:** The request of Tariq Y. Khan, Applicant, for Tariq Y. Khan, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on Lot 78, Block 7, NCB 16612, 4000 Block of North Foster Road. (Council District 2)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.

15. **ZONING CASE NUMBER Z2006050 CD:** The request of Candelario R. Alvarado, Applicant, for Candelario R. Alvarado, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “NC” Neighborhood Commercial District on the south 93 feet of Lot 7 and south 110 feet of Lot 8, Block 219, NCB 3946 and “R-4” (CD-Non-Commercial Parking Lot) Residential Single Family District with a Conditional Use for a Non-Commercial Parking Lot on the north 76 feet of Lot 7, Block 219, NCB 3946 on South 93 feet of Lot 7, south 110 feet of Lot 8 and north 76 feet of Lot 7, Block 219, NCB 3946, 1811 and 1815 West Hildebrand Avenue and 710 Viendo. (Council District 1)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
16. **ZONING CASE NUMBER Z2006051 CD:** The request of Abbey Restoration Inc., Applicant, for Abbey Restoration Inc., Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-4” (CD-Duplex) Residential Single-Family District with a Conditional Use for a Duplex on the South 58.1 Feet of Lot 4 and the North 83.4 Feet of Lot 5, Block 12, NCB 7827, 133 Handley. (Council District 3)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
17. **ZONING CASE NUMBER Z2006052:** The request of Maria Aguirre, Applicant, for Maria Aguirre, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “NC” Neighborhood Commercial District on Lot 16, Block 42, NCB 7217, 923 Fresno. (Council District 1)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
18. **ZONING CASE NUMBER Z2006056:** The request of Salah Diab, Applicant, for Milton Zaiontz, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “MF-25” Multi-Family District on Lot P-11 D, NCB 17971, Southeast of the intersection of Woodchase Drive and Coastal Lane. (Council District 7)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
19. **ZONING CASE NUMBER Z2006060:** The request of Southside Credit Union, Applicant, for Southside Credit Union and Edward Flores, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “O-1” Office District on South 35 feet of Lot 13; North 90 feet of East 14 feet of Lot 13; South 35 feet of West 22 feet of Lot 14; North 90 feet of West 22 feet of Lot 14; Block 29, NCB 3434, 2719 Nogalitos and 110 Linares. (Council District 5)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
20. **ZONING CASE NUMBER Z2006028:** The request of Brown, P. C., Applicant, for Leinguer Ventures, LLC, Owner(s), for a change in zoning from “C-3” General Commercial District to "MF-33" Multi-Family District on 16.31 acres out of NCB 16588, 17302 Nacogdoches Road. (Council District 10)

21. **ZONING CASE NUMBER Z2006033:** The request of Perry Homes, A Joint Venture, Applicant, for State of Texas General Land Office (Attn: Chris Palmer), Owner(s), for a change in zoning from “I-1” General Industrial District to “R-4” Residential Single-Family District on 31.66 acres out of NCB 16115, 1800 Grandstand Drive. (Council District 6)
22. **ZONING CASE NUMBER Z2006014:** The request of Brown P.C., Applicant, for Sandford Acquisition Company, Inc, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on Lot 3, Block 2, NCB 34400J and Lot 4, Block 2, NCB 17647 (6.054 Acres), property generally located at the northeast corner of the intersection of West Loop 1604 and West Military Drive. (Council District 6)
23. **ZONING CASE NUMBER Z2006054 CD:** The request of Linda Gamble, Applicant, for Linda Gamble, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “RE” (CD-Retail Nursery) Residential Estate District with a Conditional Use for a Retail Nursery on Lot 14 A, Block A, NCB 11530, 285 West Quill Drive. (Council District 7)
24. **ZONING CASE NUMBER Z2006057:** The request of Joey Prado, Applicant, for Joey Prado (Chunky's Burgers), Owner(s), for a change in zoning from “C-2NA” “NCD-3” Commercial Nonalcoholic Sales District Neighborhood Conservation District-3 to “C-1” “NCD-3” Light Commercial District Neighborhood Conservation District-3 on the south 150 feet of Lot 283, Block 1, NCB 11552, 4602 Callaghan Road. (Council District 7)
25. **ZONING CASE NUMBER Z2006058:** The request of Marcia S. Munoz, Applicant, for Green Herrington & Howwell LLC, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3NA” General Commercial Nonalcoholic Sales District on Lot 18, Block 1, NCB 17637, 10554 Culebra. (Council District 6)
26. **ZONING CASE NUMBER Z2006059:** The request of Kaufman & Associates, Inc., Applicant, for Zelzer Corporation, Owner(s), for a change in zoning from “MF-33” “GC-1” Multi-Family Gateway Corridor District-1 to “C-3” “GC-1” General Commercial Gateway Corridor District-1 on 5.028 acres out of NCB 34760, 20025 Interstate Highway 10 West. (Council District 8)
27. **ZONING CASE NUMBER Z2006062:** The request of Brown, P. C., Applicant, for Sonrise Church and School, Owner(s), for a change in zoning from “C-3R” Commercial Restrictive Alcoholic Sales District and “C-2” Commercial District to “MF-33” Multi Family District on Lots 36 and 37, Block 3, NCB 15176, 2902 S.W. Loop 410. (Council District 4)
28. **ZONING CASE NUMBER Z2006064:** The request of Brown, P. C., Applicant, for Sonrise Fellowship of San Antonio, Inc., Owner(s), for a change in zoning from “R-20” “GC-1” Residential Single Family Gateway Corridor District-1 to “C-3” “GC-1” General Commercial Gateway Corridor District-1 on 3.357 acres out of NCB 18338, 21683 and 21691 Milsa Drive. (Council District 8)

29. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
30. **ADJOURNMENT**

**Accessibility Statement**

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

# CASE NO: Z2005278 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 1

**Ferguson Map:** 582 B4

**Applicant Name:**

Marissa Castro

**Owner Name:**

Juan Castro

**Zoning Request:** From "R-4" Residential Single-Family District to "R-4" (CD-Beauty Shop) Residential Single-Family District with a Conditional Use for a Beauty Shop.

**Property Location:** Lot 22, Block 3, NCB 9667

2239 Basse Road

Northeast Corner of Basse Road and Buckeye

**Proposal:** To Operate a Beauty Salon

**Neigh. Assoc.** Northwest Los Angeles Heights Neighborhood Association (within 200 feet)

**Neigh. Plan** Greater Dellview Area Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

This case was previously heard by the Zoning Commission on December 6, 2005. The applicant's original request was to rezone the subject property from the "R-4" district to the "O-2" district. Staff and Zoning Commission recommended denial of this request. Following the Zoning Commission public hearing, the applicants amended their request, seeking an "R-4" CD, a conditional district to allow a beauty shop in a residential district. The case was heard by the City Council on February 9, 2006; however, not having a recommendation from the Zoning Commission on the amended application, the Council remanded the item back to the Zoning Commission for a second public hearing.

Consistent

The request, from "R-4" to "R-4" (CD-Beauty Shop) is consistent with the Greater Dellview Area Community Plan since the request does not alter the base zoning, which identifies this property for low density residential uses. However, the Plan does contain language referencing a desire by the community to diminish the encroachment of commercial uses into established residential areas.

Denial

There remains an active Special Exception for a beauty shop as an accessory use. Further, the applicant has demonstrated a history of noncompliance with the approved Special Exception, most recently being cited by the city on January 3, 2006. Staff continues to receive complaints that the beauty shop use has intensified to the point where it appears to be a primary, and not secondary, use of the property, which indicates the business is not being conducted in accordance with the conditions imposed by the Board of Adjustment in its approval of the Special Exception.

The beauty shop is an accessory use, as the residence is currently occupied by the applicant. A Special Exception was approved by the Board of Adjustment on May 16, 2005, allowing the applicant to bring an

# CASE NO: Z2005278 CD

## Final Staff Recommendation - Zoning Commission

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existing unlawful beauty shop into compliance as an accessory use conducted from the existing residence. The Special Exception will expire in May of 2006. The applicant's request to the Board was described as follows: "The applicant requests a Special Exception to continue to operate a one (1) operator beauty shop in a residential area. The Board of Adjustment must consider a request for a Special Exception as required in the Unified Development Code. The proposed hours of operation will be 9 AM to 1 PM and 3 PM to 7 PM, Monday and Tuesday, and Thursday through Sunday. Closed on Wednesday. Total proposed hours of operation per week is 48 hours."

The Board of Adjustment considered the application during the public hearing of May 12, 2005, and approved a Special Exception. The Board's action is as follows: "The Board approved the Special Exception for a 1-year Term with the days and hours of operation being Monday-Tuesday and Friday-Sunday 9 a.m. to 1 p.m. and 3 p.m. to 7 p.m. They will be closed Wednesday and Thursday."

In August of 2005, the applicants were informed the Certificate of Occupancy issued for the beauty shop was subject to suspension due to noncompliance with the restrictions imposed by the Board of Adjustment. On November 3, 2005, the applicants applied to rezone the property and to bring the beauty shop use, now noncompliant for a second time, into compliance. They requested a rezone to "O-2" and both staff and the Zoning Commission recommended denial. A few weeks after Mr. Castro, who jointly owns the property with Ms. Castro, indicated a possible withdrawal of the item, Ms. Castro requested to amend the application to "R-4" (CD-Beauty Shop) and proceed to the City Council for consideration of the amended application. Staff has continued to receive complaints from neighborhood residents that the beauty shop use has expanded and now consists of two operators on weekends and, during some weeks, the beauty shop is open seven days per week and well past the 7 p.m. closing time ordered by the Board of Adjustment.

Beauty and barber shops are prohibited as home occupations in residential districts. However, Section 35-375 of the UDC authorizes the use in conjunction with a residential use upon the approval of a Special Exception by the Board of Adjustment. The Board used these provisions, including time limitations, in its consideration and approval of the Special Exception. Section 35-380(b)(2) of the UDC also authorizes the use with the approval of a Specific Use Permit by the City Council and the applicants were advised to amend their original application to an "R-4 S" or "R-4" CD. A Specific Use Permit would require a site plan and provide staff with an opportunity to review the existing site layout as well as any proposed changes in site development. A Conditional District would enable staff to apply conditions that limit the intensity and scope of the use.

Should the Commission make a recommendation of approval of "R-4" CD, the following conditions are recommended, with the first three specifically referenced in Section 35-422(e) of the UDC:

1. No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
3. To protect neighborhood integrity, off-street parking shall be permitted behind the primary structure only and not in the front or side yard areas.
4. All customer waiting areas are limited to inside the residence.
5. The use is limited to one operator and the applicant shall be the only operator.
6. Days of operation are limited to Mondays, Tuesdays, Fridays, Saturdays and Sundays.
7. Hours of operation are limited from 9:00 a.m. to 1:00 p.m. and 3:00 p.m. to 6:00 p.m. on Mondays, Tuesdays, Fridays and Saturdays and from 12:00 p.m. to 5:00 p.m. on Sundays.
8. The Conditional District may only apply to the property as long as the residence is occupied by the applicant. Should the applicant no longer reside at the property, the Conditional District allowing the beauty shop as an accessory use shall expire.

**CASE MANAGER :** Matthew Taylor 207-5876

REDROCK DR

REDROCK DR

—— Notices Mailed  
 —— In Opposition  
 —— In Favor

R4

R4

10023

R4

R4

R4

CLIFFWOOD DR

R4

R4

9668

9668

R4

R4

HARWOOD DR

R4

R4

9667

9668

R4

BASSE

9663

C2

210

O2

1/R

1/R

1/R

1/R

1/R

1/R

CHURCH

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VENICE ST

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R4

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R4

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9655

LA MANDA BLVD

Subject Property

200' Notification

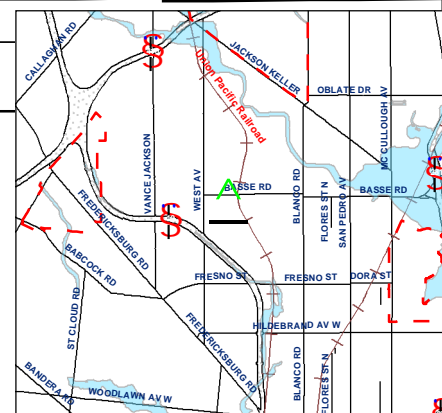
ZONING CASE: **Z2005-278 CD**

City Council District No. 1  
 Requested Zoning Change  
 From "R-4" To "R-4" CD

Date: March 7, 2006

Scale: 1" = 200'

C:\Dec\_6\_2005



# CASE NO: Z2006014

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 6

**Ferguson Map:** 612 A-3

**Applicant Name:**

Brown P.C.

**Owner Name:**

Sandford Acquisition Company, Inc

**Zoning Request:** From "R-6" Residential Single-Family District to "C-3" General Commercial District.

**Property Location:** Lot 3, Block 2, NCB 34400J and Lot 4, Block 2, NCB 17647 (6.054 Acres)

Property generally located at the northeast corner of the intersection of West Loop 1604 and West Military Drive

1500 Block of West Loop 1604 and 11000 Block of West Military Drive

**Proposal:** Retail shopping center

**Neigh. Assoc.** Oak Creek Neighborhood Association

**Neigh. Plan** None

### Traffic Impact Analysis:

A Level-I Traffic Impact Analysis (TIA) has been submitted. The Development Services TIA Division has reviewed the Level-I Traffic Impact Analysis (TIA) for the Westcreek Retail Property Rezoning. The analysis is in compliance with TIA Ordinance 91700.

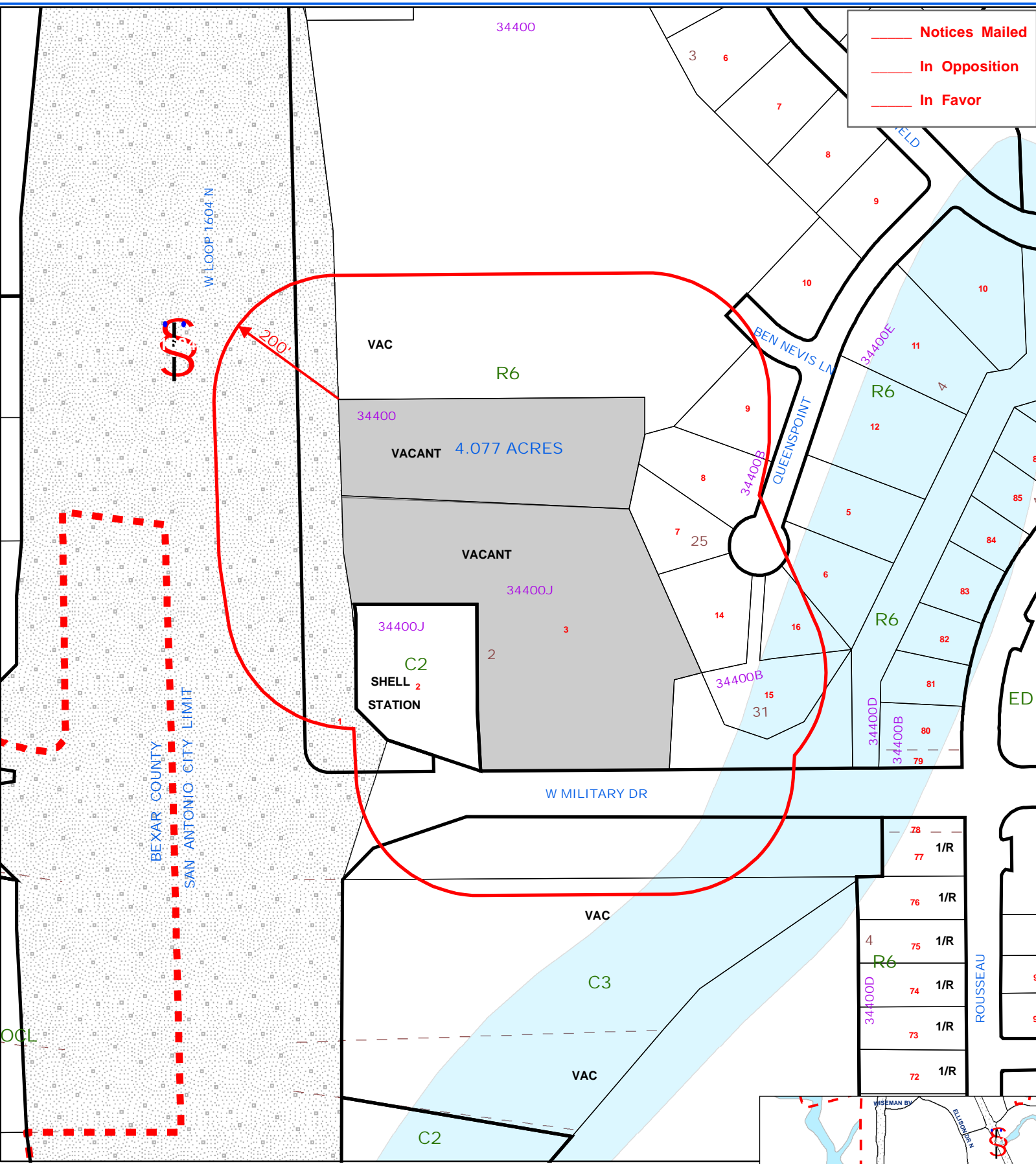
### Staff Recommendation:

Approval.

The subject property is at the intersection of two major thoroughfares (Military Drive and Loop 1604) which is appropriate for high intensity commercial uses. The surrounding property is currently zoned R-6 Single-Family Residential and "C-2" Commercial District. A natural drainage easement would serve as a buffer between the commercial development and the single-family dwellings to the east. A Type "C" buffer is required on commercial areas adjacent to residential zoning. A Type "C" buffer requires a 6 foot solid fence or wall with a 15 foot buffer yard on the sides. At the rear property line of adjoining uses for which a Type "C" buffer is required, the applicant may elect to provide a solid fence at least six (6) feet in height in lieu of the buffer yard. The "C-3" General Commercial District promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance. The "C-3" General Commercial District would be appropriate at this location.

**CASE MANAGER :** Pedro Vega 207-7980

\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor

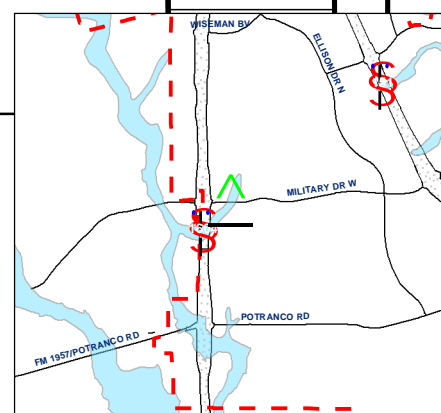


# ZONING CASE: **Z2006-014**

City Council District No. 6  
 Requested Zoning Change  
 From "R-6" To "C-3"  
 Date: March 7, 2006  
 Scale: 1" = 300'

[Grey Box] Subject Property  
 [Red Circle] 200' Notification

C:\Dec\_6\_2005



# CASE NO: Z2006015

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Zoning Commission Continuance from February 21, 2006

**Council District:** 9

**Ferguson Map:** 515 E4

**Applicant Name:**

**Owner Name:**

Brown, P. C. Attorneys at Law

Rogers Shavano Park Unit 18/19 Ltd.

**Zoning Request:** From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District.

**Property Location:** 2.105 acres out of NCB 15011

North Loop 1604 West

**Proposal:** To develop a commercial/retail site

**Neigh. Assoc.** None

**Neigh. Plan** None

**Traffic Impact Analysis:**

A TIA report is not required with rezoning. A TIA may be required at platting if the land being rezoned is incorporated into a larger development.

**Staff Recommendation:**

Approval

The subject property is located south of the North Loop 1604 West, east of the Shavano Park city limits, and west of the Salado Creek. The surrounding properties are currently vacant and zoned commercial to the north and residential to the east. The property located within Shavano Park to the west is zoned for business use.

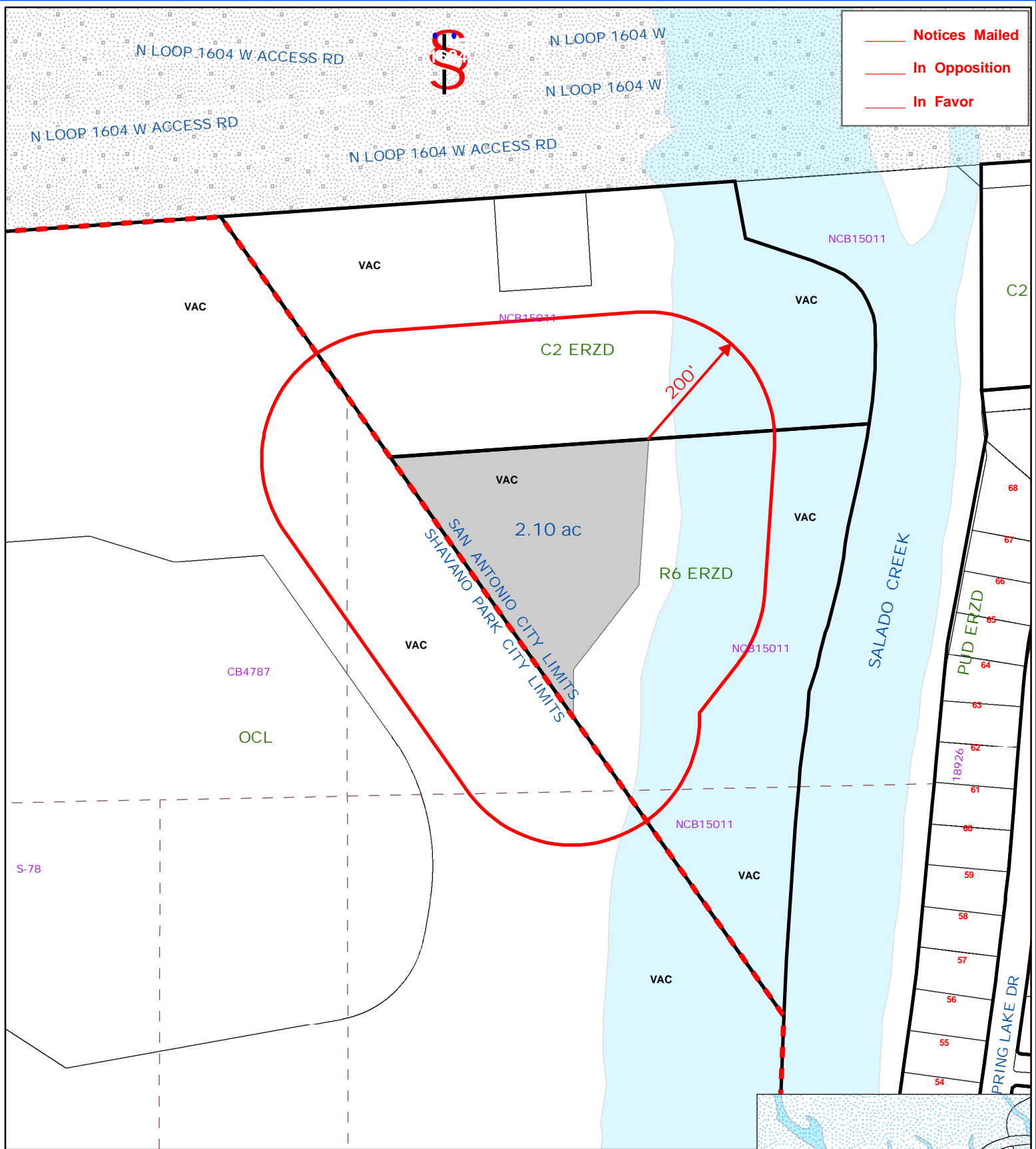
The subject property was previously zoned Temporary "R-1 ERZD" Single Family Residence Edwards Recharge Zone District. A zoning case was initiated in 1993 to change the zoning from Temporary "R-1" to "R-1 ERZD" Single-Family Residential District. The zoning was converted from "R-1 ERZD" to a "R-6 ERZD" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC).

The zoning request for a commercial district would be appropriate at this site. This site is not suitable for residential use due to the lack of access and the surrounding commercial districts. The proposed district would conform to the surrounding commercial to the north and west.

**SAWS Summary**

1. SAWS recommends approval of the proposed land use.
2. A category determination has not been submitted. Until such time the property is classified as a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 30%

**CASE MANAGER :** Pedro Vega 207-7980



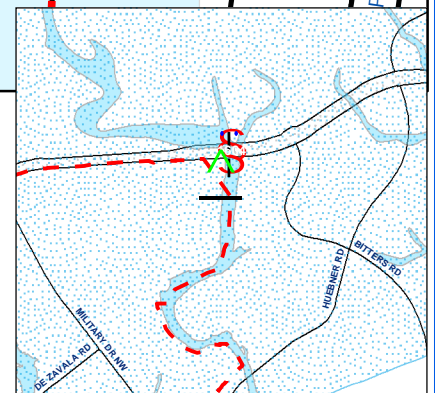
\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor

# **ZONING CASE: Z2006-015**

City Council District No. 9  
 Requested Zoning Change  
 From "R-6 ERZD" To "C-2 ERZD"  
 Date: March 07, 2006  
 Scale: 1" = 200'

[Grey Box] Subject Property  
 [Red Circle] 200' Notification

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**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEV. SERVICES  
2006 FEB -8 P 2:20

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2006015 (Shavano)

**Date:** February 7, 2006

**SUMMARY**

A request for a change in zoning has been made for an approximate 3.0-acre tract located on the city's north side. Of the 3.0 acres, 2.105 acres are located within the City of San Antonio. The remaining 0.895 acres are located in the City of Shavano Park. A change in zoning from "R-6" ERZD to "C-2" ERZD is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a commercial - retail development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, south of Loop 1604, between NW Military Drive and Bitters Road. Approximately one acre of the overall site is located within the city limits of Shavano Park. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

## **SITE EVALUATION**

### **1. Development Description:**

The proposed change is from "R-6" ERZD to "C-2" ERZD and will allow for the construction of a commercial – retail site. Currently the site is covered in native vegetation and undeveloped.

### **2. Surrounding Land Uses:**

An elementary school is west and south of the site. Loop 1604 bounds the northern boundary. Inwood Hollow Subdivision and Salado Creek bounds the eastern boundary.

### **3. Water Pollution Abatement Plan:**

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

### **4. Geologic Conditions:**

The Resource Protection Division of the San Antonio Water System conducted a field observation on January 5, 2006 of the referenced property to assess the geologic conditions present at the site. SAWS staff Geologist, Ms. Joan Falkenberg, P.G., was present during the site visit. No significant features were noted during the site observation where the geology was visible; however the majority of the property was covered by thick brushy vegetation and leaf litter. Limestone outcrops were visible at the surface in some areas and exhibited typical weathering features of exposed bedrock. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Cyclic and Marine Members of the Edwards Formation located within the Person Formation of the Edwards Group.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **Site Specific Concerns**

1. A floodplain lies down gradient from the site, along the eastern portion, where recharge may occur.

### **General Concerns**

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

### **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

#### **Site Specific Recommendations**

1. The impervious cover shall not exceed 30% on the site.
2. A floodplain buffer shall be provided along the eastern portion of the property as required in Ordinance No. 81491, Section 34-913.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.

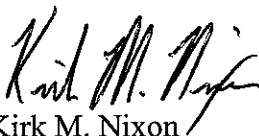
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.
7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

#### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.

- B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
- 5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
  - 6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



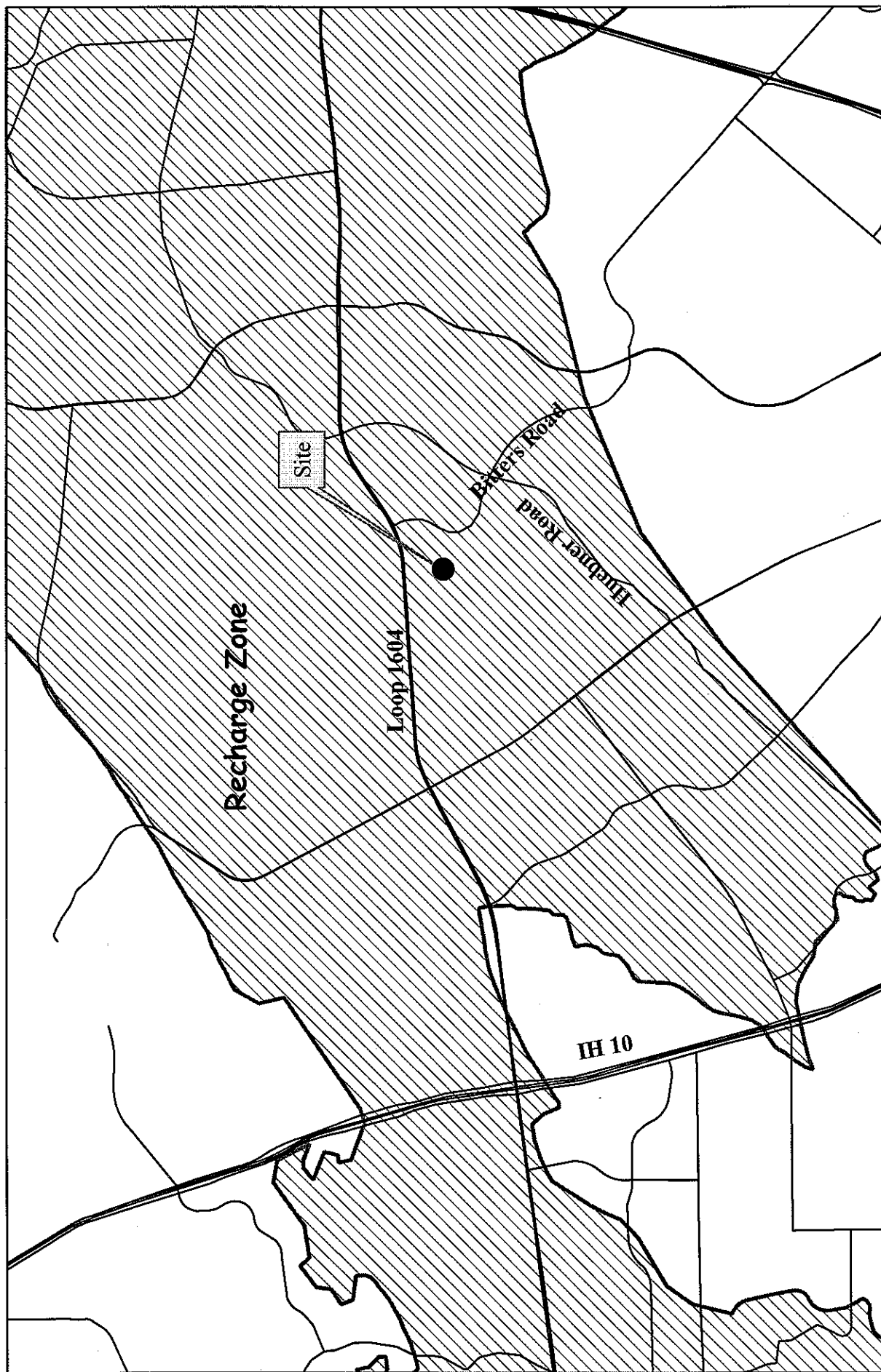
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



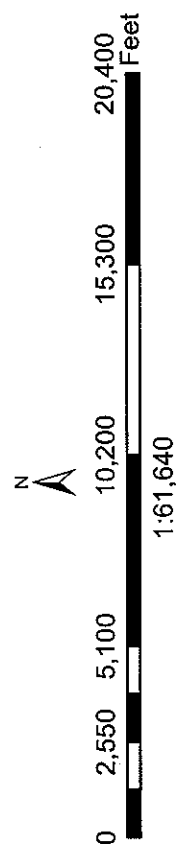
**Zoning Case No. Z2006015 Figure 1**

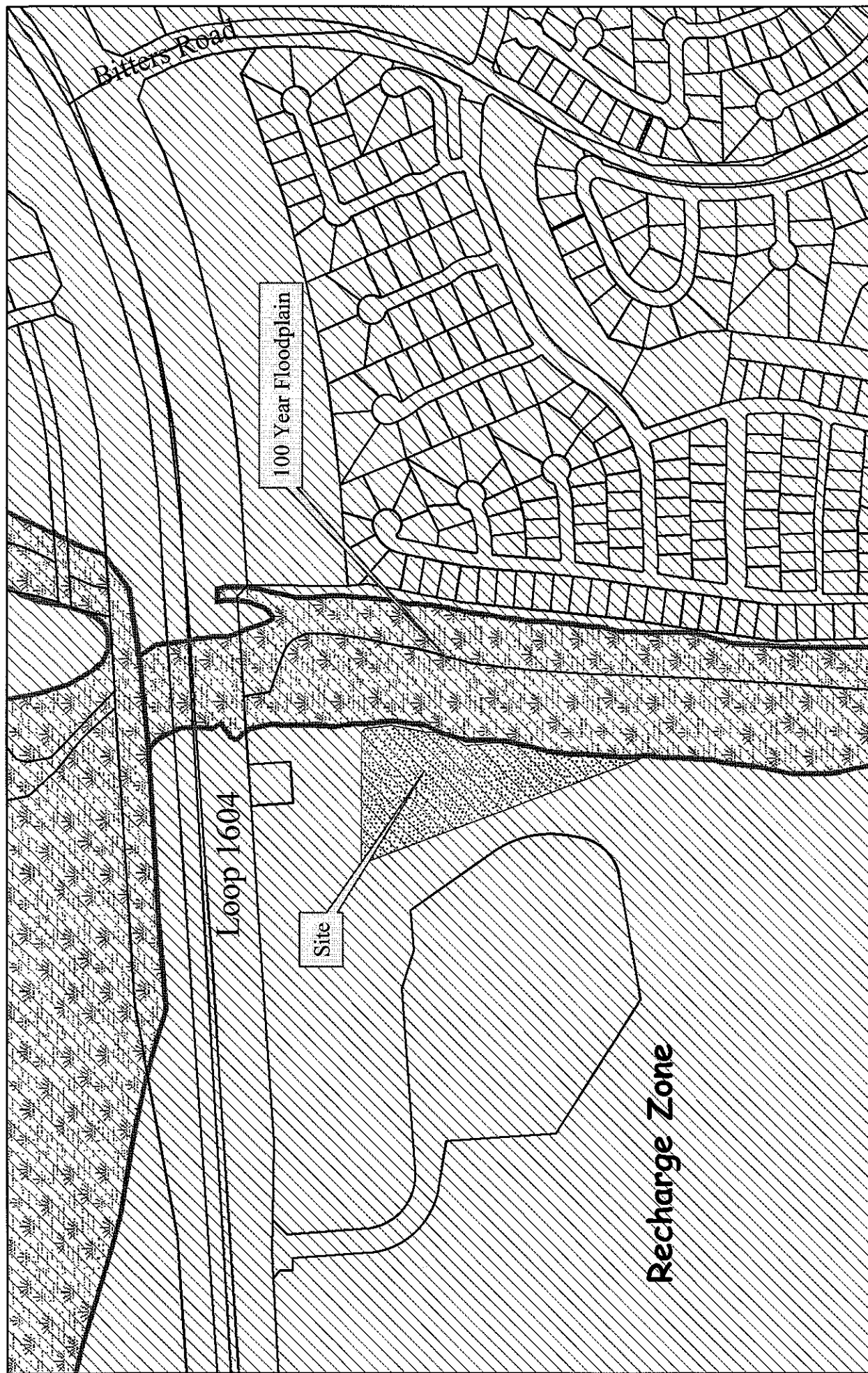
Shavano

Map Page 515 E3

X=2114311 Y=13765744

Map Prepared by Aquifer Protection and Evaluation MJB 1/4/2006





**Zoning Case No. Z2006015 Figure 2**

Shavano

Map Page 515 E3

X=2114311 Y=13765744

Map Prepared by Aquifer Protection and Evaluation MJB 1/4/2006

# CASE NO: Z2006019

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Zoning Commission continuance from February 7, 2006

**Council District:** 7

**Ferguson Map:** 548 C6

**Applicant Name:**

Padmasiri Somawardana

**Owner Name:**

Padmasiri and Prabha Somawardana

**Zoning Request:** From "O-2" Office District to "C-2" Commercial District.

**Property Location:** Lot 17, Block 2, NCB 17176

5900 Block of Babcock Road

South corner of Babcock Road and Welles Way

**Proposal:** Small shopping center

**Neigh. Assoc.** Alamo Farmsteads/Babcock Road Neighborhood Association, Oakland Estates Neighborhood Association (within 200 feet) and Pembroke Farms Home Owners Association (within 200 feet)

**Neigh. Plan** Huebner/Leon Creeks Community Plan

### Traffic Impact Analysis:

A Traffic Impact Analysis is not required however. The 1-acre tract is currently zoned O-2. The current zoning would have generated approximately 120 daily vehicle trips. The property is proposed to be zoned C-2. The proposed development is projected to generate 468 daily vehicle trips, an increase of 348 vehicle trips per day. The TIA division has no indication as to the development proposed on the site.

### Staff Recommendation:

Consistent

The land use is consistent with the Huebner/Leon Creeks Community Plan. The proposed uses listed in the Zoning Change Application are consistent with Huebner/Leon Creek Community Plan, however the requested zoning may allow for more intense uses in the future that could be incompatible with the existing single family residential uses adjacent to the site. Therefore an alternate zoning ("C-1" Commercial District) is recommended for this site to allow the applicant to develop the parcel with the uses stated in the Zoning Change Application and ensure that incompatible uses are not developed on the site in the future.

Denial of "C-2" Commercial District with an alternate recommendation of "C-1" Commercial District

The subject property is currently undeveloped and located on Babcock Road a major thoroughfare. The subject property is adjacent to "RM-4" Residential Mixed District to the southwest (two-family dwellings), "C-2" Commercial District to the southeast (vacant) "O-2" Office District across Welles Way to the north (Dental Office) "C-1" Commercial District (vacant) and "O-2" Office District across Babcock Road to the northeast (Daycare Center). "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.

The subject property was zoned "O-1" Office District and later converted to "O-2" Office District in February of 2002 upon adoption of the current UDC.

The following restrictions shall apply to the scale of buildings in "C-1".

Maximum individual building size 5,000 square feet.

Maximum aggregate building size 15,000 square feet.

**CASE MANAGER : Pedro Vega 207-7980**



# CASE NO: Z2006028

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Zoning Commission continuance from February 7, 2006  
and February 21, 2006

**Council District:** 10

**Ferguson Map:** 519 F4

**Applicant Name:**

**Owner Name:**

Brown, P. C.

Leinguer Ventures, LLC

**Zoning Request:** From "C-3" General Commercial District to "MF-33" Multi-Family District.

**Property Location:** 16.31 acres out of NCB 16588

17302 Nacogdoches Road

Northeast corner of Nacogdoches Road and Dolente Road

**Proposal:** Multi-family development

**Neigh. Assoc.** None

**Neigh. Plan** None

### Traffic Impact Analysis:

A Traffic Impact Analysis is not required, but a Level-1 TIA will be required at platting. The property is currently zoned C-3. The current zoning would have generated approximately 7,627 daily vehicle trips. The property is proposed to be zoned MF-33 and developed with no more than 528 rental units. The proposed MF-33 development is projected to generate 3,479 daily vehicle trips, a decrease of 4,188 vehicle trips per day. Access to the property is on Nacogdoches, a secondary arterial, 86-foot right-of-way. The owner should be aware that the eastern edge of the property is impacted by the future Stone Oak Parkway, which may require dedication/possible construction at platting.

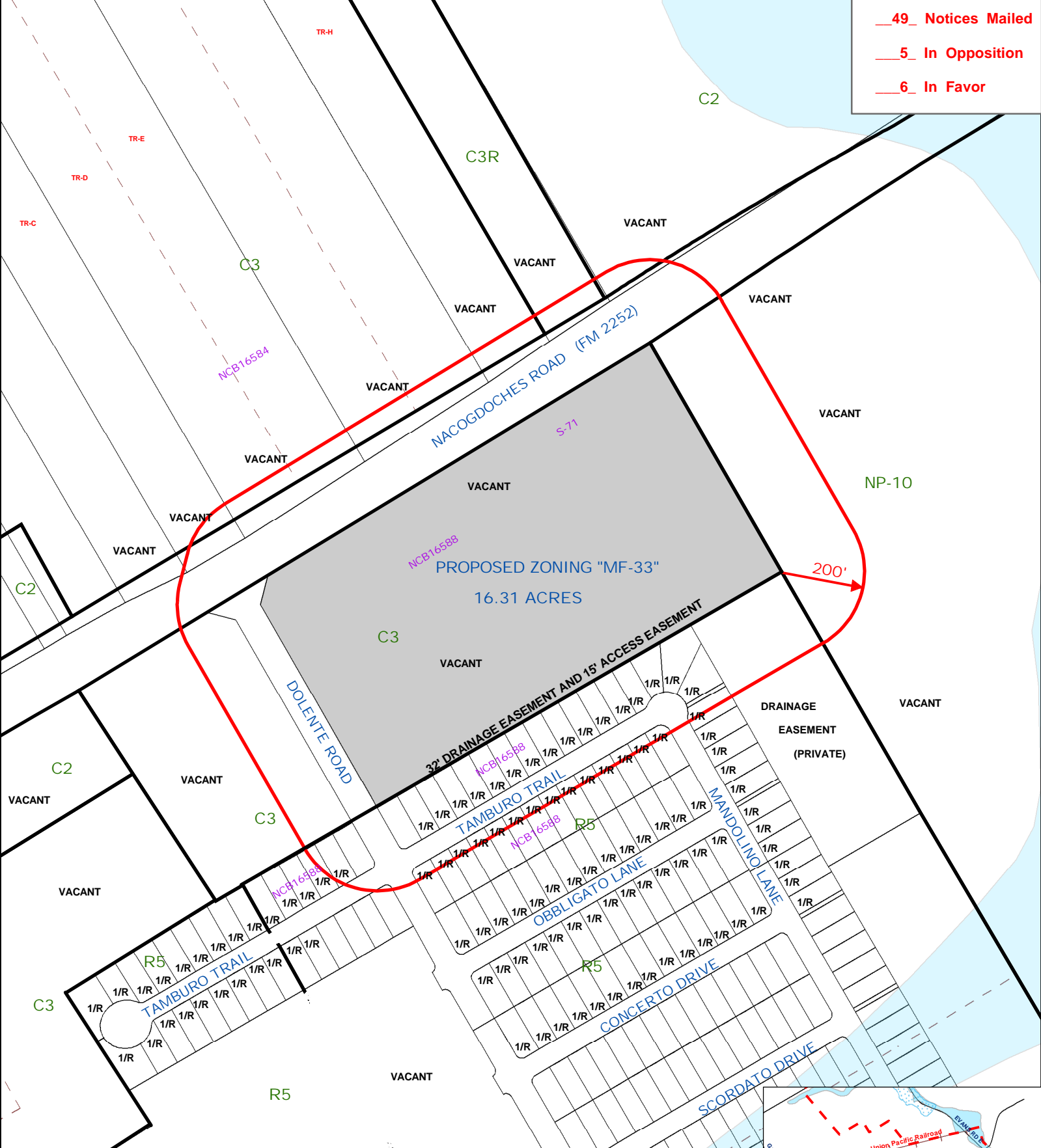
### Staff Recommendation:

#### Approval

The subject property is currently undeveloped and located on Nacogdoches Road a major thoroughfare. The subject property is adjacent to "R-5" Residential Single-Family District to the southeast (single-family dwellings), "NP-10" Neighborhood Preservation District to the northeast and "C-3" General Commercial District across Dolente Road to the southwest (vacant). A 32 foot drainage easement and 15 foot access easement would serve as a buffer between the multi-family development and the single-family dwellings. The "MF-33" Multi-Family District is a down-zoning and would be appropriate at this location. The calculation for 16.31 acres proposed for the "MF-33" Multi-Family District would allow a potential of 538 multi-family dwellings. The applicant is proposing a development that would consist of a little over 300 multi-family dwellings.

**CASE MANAGER :** Pedro Vega 207-7980

49 Notices Mailed  
5 In Opposition  
6 In Favor



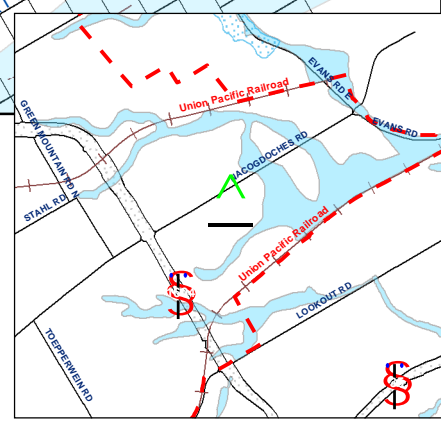
# ZONING CASE: Z2006-028

City Council District No. 10  
Requested Zoning Change  
From "C-3" To "MF-33"  
Date: March 9, 2006  
Scale: 1" = 300'

Subject Property  
200' Notification



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# CASE NO: Z2006033

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Zoning Commission Continuance from February 21, 2006

**Council District:** 6

**Ferguson Map:** 580 A8

**Applicant Name:**

**Owner Name:**

Perry Homes, A Joint Venture

State of Texas: General Land Office (Attn: Chris Palmer)

**Zoning Request:** From "I-1" General Industrial District to "R-4" Residential Single-Family District.

**Property Location:** 31.66 acres out of NCB 16115

1800 Grandstand Drive

East of the intersection of Grandstand Drive and Fairgrounds Parkway

**Proposal:** To make consistent with the existing use

**Neigh. Assoc.** Thunderbird Hills Neighborhood Association

**Neigh. Plan** None

### **Traffic Impact Analysis:**

A Traffic Impact Analysis is not required. Rezoning from I-1 to R-4 would have generated an additional 27 afternoon peak hour vehicle trips. The 31.66-acres would have generated approximately 517 daily vehicle trips as heavy industrial but would increase to approximately 2,450 daily vehicle trips zoned as R-4 assuming 256 single family dwellings. A Level-1 TIA report will be required at the MDP or platting stage. Combined with the 38.35 acre property, a Level-2 TIA report would be required with over 500 peak hour trips. Cinema Ridge will be required to be extended into the property as access.

### **Staff Recommendation:**

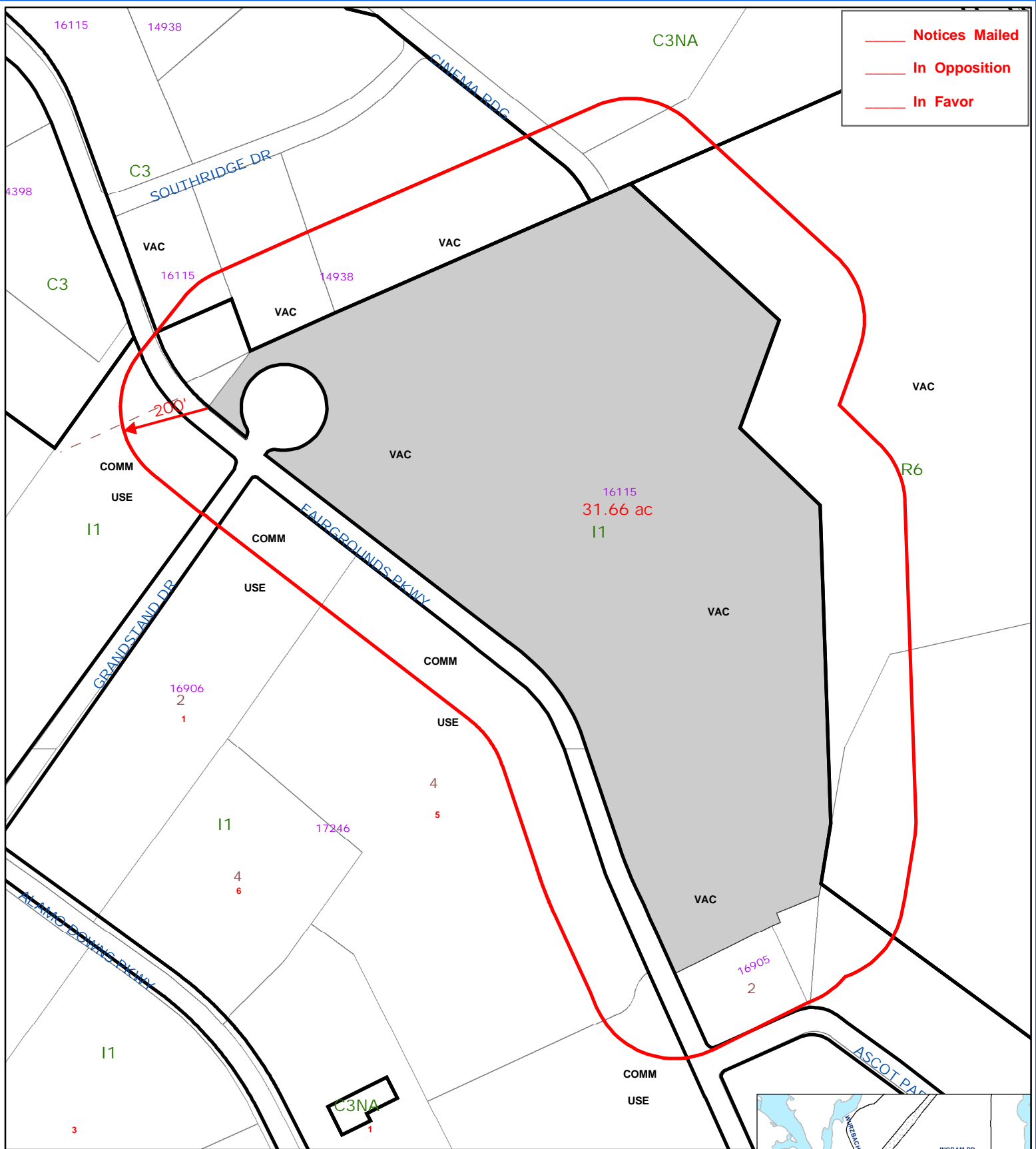
Denial.

The subject property is located close to the intersection of Grandstand Drive and Fairgrounds Parkway. The properties to the north and west are zoned for commercial and industrial uses. The property to the east is zoned for residential use.

The property was previously zoned Temporary "R-1" Single Family Residential District and was changed in 1979 as part of a large area rezoning case. The property was changed to "I-1" Light Industrial District and the surrounding properties were rezoned to commercial and industrial districts.

"R-4" Single Family Residential District is not appropriate at this location due to the established commercial uses across the street and the commercial and industrial zoning to the north and south. A Master Development Plan (MDP) was accepted in 1997 for this area. The MDP is proposing industrial warehousing use at this location. Furthermore, residential development would be out of character for the area and there is a lack of services available to potential residents. This development would be isolated from other residential uses. The only other residential development would be to the east and it is located at the top of an elevated area. The property adjacent to this case is currently zoned for residential use, however, it would be difficult to develop due to the topography. There would also be an issue concerning the connectivity between the subject property and the other residential property to the east. All of the streets from the development to the east end in a cul de sac and do not offer the opportunity for connections to new residential developments.

**CASE MANAGER :** Robin Stover 207-7945

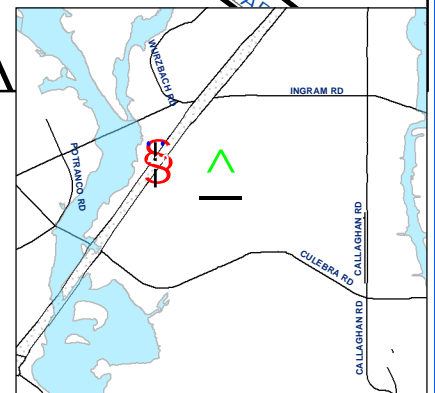


# ZONING CASE: **Z2006-033**

**City Council District No. 6**  
**Requested Zoning Change**  
**From "I-1" To "R-4"**  
**Date: March 07, 2006**  
**Scale: 1" = 200'**

Subject Property  
 200' Notification

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# CASE NO: Z2006036 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Continuance from February 21, 2006 Zoning Commission hearing.

**Council District:** 5

**Ferguson Map:** 650 B2

**Applicant Name:**

John Duncan

**Owner Name:**

John Duncan

**Zoning Request:** From "R-5" Residential Single-Family District to "R-5" (CD- Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Parking Lot.

**Property Location:** Lots 11 and 12, NCB 6932

3110 Nogalitos Street

Intersection of West Winnepeg Avenue and Nogalitos Street

**Proposal:** For a parking lot

**Neigh. Assoc.** Palm Heights Neighborhood Association

**Neigh. Plan** Nogalitos/ South Zarzamora Community Plan

**Traffic Impact Analysis:**

A traffic impact analysis is not required.

**Staff Recommendation:**

Consistent

The Nogalitos/ South Zarzamora Community Plan calls for low-density residential at this location. The applicant is not requesting a change in the base zone. Therefore, should the requested conditional use cease for a period of 12 consecutive months, the conditional use would expire and the property could only be utilized as single-family residential.

**Approval**

The subject property is currently undeveloped and located on Nogalitos Street, a Secondary Arterial "Type B" Road. The property is adjacent to a medical building, which is currently under construction. The applicant is requesting to utilize the subject property as a parking lot for this building. Currently, there is very little parking along Nogalitos Street.

The initial rezoning request was for "C-3" General Commercial District to conform to the zoning of the medical building, however, "C-3" did not conform to the community plan and would constitute an inappropriate encroachment of an incompatible zoning district adjacent to an existing residential neighborhood. After consulting with the planning department, Staff recommended "R-5" C with a conditional use for parking lot to the applicant in order to conform to the community plan. The applicant amended his application on February 2, 2006.

Staff recommends approval with the following conditions:

1. A Type "C" buffer be constructed on Lot 12 as a buffer for the residential property on Lot 13.
2. Direct all outdoor lighting away from adjacent residential properties.

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



# CASE NO: Z2006037 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 1

**Ferguson Map:** 616 F7

**Applicant Name:**

Ellsworth & George Sullivan

**Owner Name:**

Ellsworth & George Sullivan

**Zoning Request:** From ( H) "RM-4" Historic Residential-Mixed District to (H) "R-6 CD" Historic Residential Single-Family District with a Conditional use for multi-family not to exceed 3 units.

**Property Location:** Lot 17, Block 5, NCB 723

115 Devine Street

Generally located east of S. Presa and on the north side of Devine Street

**Proposal:** To allow a 3-unit condominium

**Neigh. Assoc.** LaVaca Neighborhood Association

**Neigh. Plan** LaVaca Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Inconsistent.

The LaVaca Community Plan designates this property for Low Density Residential land uses. This would include single-family homes and duplexes.

Denial. The current RM-4 zoning allows for duplexes, however, the lot size does not allow 3 units to be developed. The development of 3 units at this location may not be feasible. The property is 8,032 sq ft which would allow the construction of a two-family attached unit with the current zoning. The lot is 50 feet wide. The tract of land is suitable as presently zoned given the size of the lot and the historic character of the neighborhood.

(Because the property is in an historic district, HDRC approval would be required for future development and for demolition of the structure of the property)

**CASE MANAGER :** Richard Ramirez 207-5018

— Notices Mailed  
— In Opposition  
— In Favor

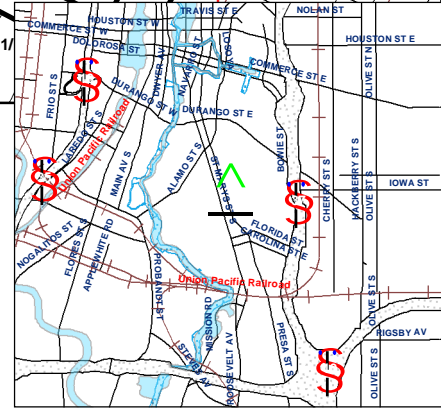


# **ZONING CASE: Z2006-037 CD**

**City Council District No. 1**  
**Requested Zoning Change**  
**From "RM4" To (H)"R-6 C"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

Subject Property  
○ 200' Notification

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# CASE NO: Z2006040

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 2

**Ferguson Map:** 585 D7

**Applicant Name:**

Tariq Y. Khan

**Owner Name:**

Tariq Y. Khan

**Zoning Request:** From "R-6" Residential Single-Family District to "C-3" General Commercial District.

**Property Location:** Lot 78, Block 7, NCB 16612

4000 Block of North Foster Road

Southwest Corner of North Foster Road and Summer Fest Road

**Proposal:** To Develop a Car Care Center

**Neigh. Assoc.** Sunrise Neighborhood Coalition

**Neigh. Plan** I-10 East Corridor Perimeter Plan

### **Traffic Impact Analysis:**

A Traffic Impact Analysis is not required at this time; however, an analysis may be required during building permit or plat review.

### **Staff Recommendation:**

On February 24, 2006, the applicant amended the application from C-3 to C-2 (CD-Car Care Center) Commercial District with a Conditional Use for a Car Care Center.

Inconsistent

The proposed rezone from R-6 to C-2 (CD-Car Care Center) is inconsistent with the designated land use of the property identified in the I-10 East Corridor Perimeter Plan. The Plan currently designates this property for single family residential use. Consistency with the Plan could be achieved by amending the land use designation from single family residential to community commercial. The applicant has filed a application for a plan amendment with the Planning Department and this request will be heard by the Planning Commission on March 8, 2006.

Approval of C-2 (CD-Car Care Center) contingent on a succesful amendment to the I-10 East Corridor Community Plan.

Since the property is located on a corner with an existing traffic signal, surrounded by a parcel of about 11 acres in size already zoned C-2 and has significant spatial separation from the single family residences in the Sunrise Subdivision units to the west, a single retail or service use normally requiring a C-3 district should be allowed. The applicant is proposing a base zoning district of C-2 with a car care center, a zoning district and use that are generally compatible with much of the existing zoning and other uses along this portion of N. Foster Road. Automobile and truck repair, including muffler installation, require a C-3 zoning district to be allowed by right but the Unified Development Code allows a single C-3 use in C-2 with an approved conditional district. Approval of a conditional district will not prevent the establishment of additional uses on the property that are allowed by right in the C-2 district.

The subject property was annexed into the city in December of 1994, as part of an annexation that

# CASE NO: Z2006040

## Final Staff Recommendation - Zoning Commission

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encompassed more than 800 acres. In 1995, the city initiated a zoning case (Z1995033) that resulted in Lot 78 and two adjacent lots, Lots 36 and 40, being rezoned from the Temporary R-1 district to the B-2 and B-3 zoning districts, with all of Lot 78 being rezoned to B-3. Lot 36 is located at the southwest corner of N. Foster Road and Summer Fest Drive, surrounding the subject property, and Lot 40 is located immediately north across Summer Fest Drive at the northeast corner of the intersection of North Foster Road and Summer Fest Drive.

In 1999, the subject property and Lots 36 and 40 were again rezoned (Z99109), this time from B-2 and B-3 to R-1. This zoning case was initiated by the district councilperson, with staff recommending approval and the Zoning Commission recommending denial by a vote of 7-3. The Council ultimately voted to approve the rezone to R-1 by a vote of 9-0.

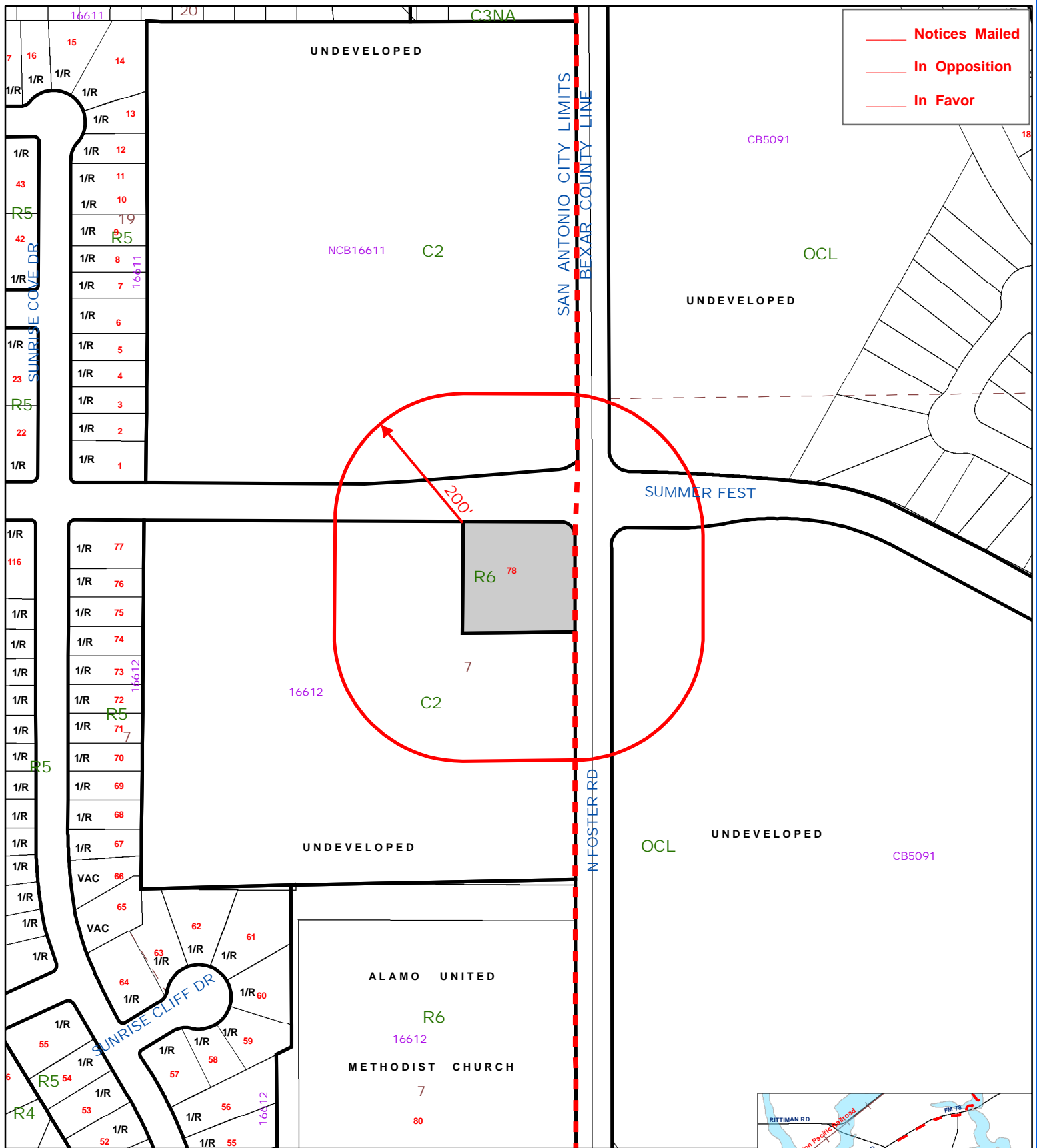
In 2004, Lots 36 and 40 were again rezoned (Z2003240) from R-1 to C-2, as requested by the property owner, following a successful amendment (Ordinance #99685) to the I-10 East Corridor Perimeter Plan which amended the land use designation from single family residential to community commercial. Lot 78, which was platted with Unit 15 of Sunrise Subdivision to the west, remains an undeveloped lot with R-6 zoning and still designated for single-family residential land use by the Plan.

The properties to the immediate north and south, as discussed above, are presently undeveloped and zoned C-2. The properties to the east, across N. Foster Road, are also undeveloped and outside the city limits. Much of the property currently fronting on N. Foster Road is currently zoned C-2 and C-3, having been zoned commercial within a few years following annexation.

Should the Zoning Commission move to recommend approval of C-2 CD for a car care center, the following conditions are recommended:

1. If available, reciprocal access with the adjacent property shall be required.
2. The outside storage of disabled vehicles and/or discarded automobile parts and supplies is not allowed.
2. Screening is required for all dumpsters and receptors of trash, debris and all other discarded materials so as to not be visible beyond the property lines.

**CASE MANAGER :** Matthew Taylor 207-5876

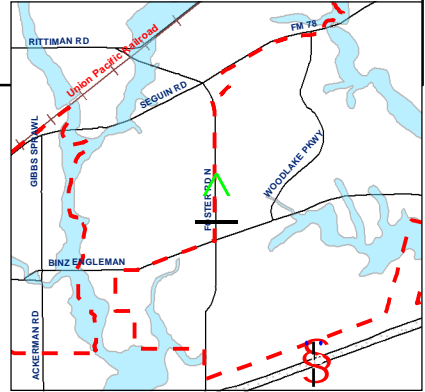


\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor

**ZONING CASE: Z2006-040**  
**City Council District No. 2**  
**Requested Zoning Change**  
**From "R-6" To "C-3"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

[Gray Box] Subject Property  
 [Red Circle] 200' Notification

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# CASE NO: Z2006046

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

Zoning Commission continuance from February 21, 2006

**Council District:** 7

**Ferguson Map:** 548 A8

**Applicant Name:**

**Owner Name:**

Brown, P. C.

Myrtha Gersdorff

**Zoning Request:** From "R-6" Residential Single-Family District to "MF-33" Multi-Family District.

**Property Location:** 1.49 acers out of NCB 14618

8288 Eckert Road

West of Eckhert Road and Border Mist Drive

**Proposal:** To develop an apartment community

**Neigh. Assoc.** Eckhert Crossing Neighborhood Association

**Neigh. Plan** Huebner/Leon Creeks Plan

**Traffic Impact Analysis:**

A traffic impact analysis is not required.

**Staff Recommendation:**

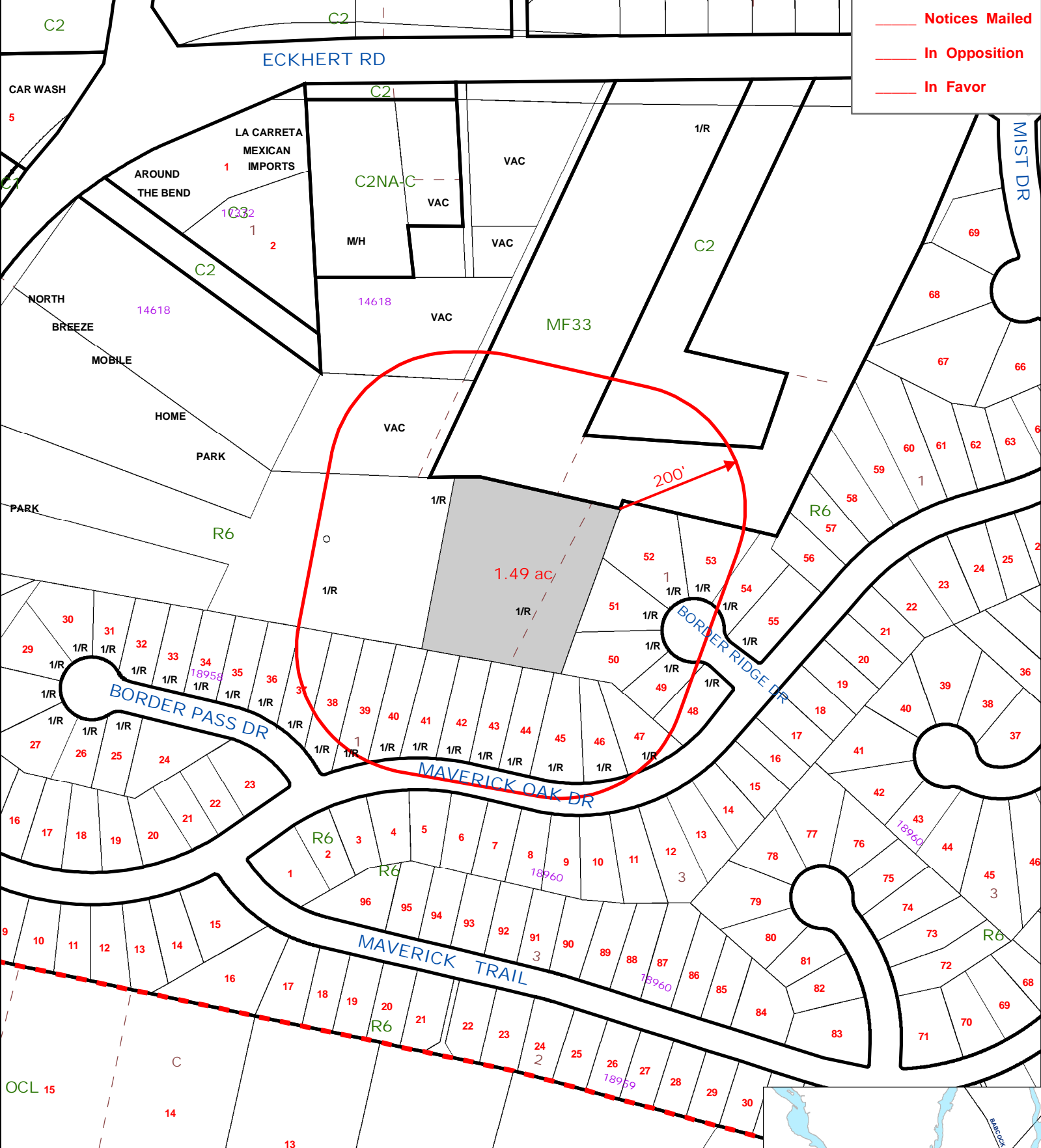
Inconsistent, does not conform to Land Use Plan.

The plan calls for medium density residential development.

Denial as requested and approval of R-6 CD with a conditional use for Multi-family not to exceed 20 units per acre. This requested rezoning is in the Huebner/Leon Creeks Community Plan, which calls for Medium Density Residential at this location.

The property is located at the rear of the adjoining MF-33 property to the north, fronting on Eckhert. To the east, west and south exists R-6 zoning and uses.

**CASE MANAGER :** Richard Ramirez 207-5018



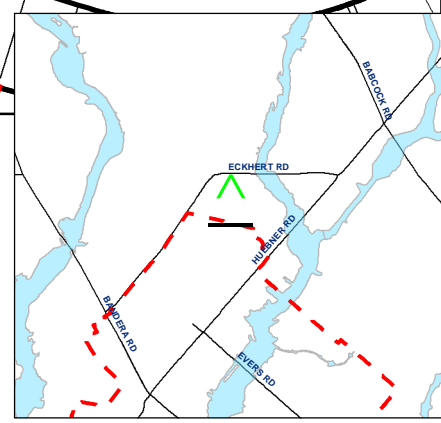
**ZONING CASE: Z2006-046**

**City Council District No. 7**  
**Requested Zoning Change**  
**From "R-6" To "MF-33"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

■ Subject Property  
○ 200' Notification



C:\Feb\_7\_2006



# CASE NO: Z2006050 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 1

**Ferguson Map:** 582 A7

**Applicant Name:**

Candelario R. Alvarado

**Owner Name:**

Candelario R. Alvarado

**Zoning Request:** From "R-4" Residential Single-Family District to "NC" Neighborhood Commercial District on the south 93 feet of Lot 7 and south 110 feet of Lot 8, Block 219, NCB 3946 and "R-4" (CD-Non-Commercial Parking Lot) Residential Single Family District with a Conditional Use for a Non-Commercial Parking Lot on the north 76 feet of Lot 7, Block 219, NCB 3946.

**Property Location:** South 93 feet of Lot 7, south 110 feet of Lot 8 and north 76 feet of Lot 7, Block 219, NCB 3946

1811 and 1815 West Hildebrand Avenue and 710 Viendo

Between West Hildebrand Avenue and Viendo

**Proposal:** Law offices

**Neigh. Assoc.** Los Angeles Heights Neighborhood Association

**Neigh. Plan** Near Northwest Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

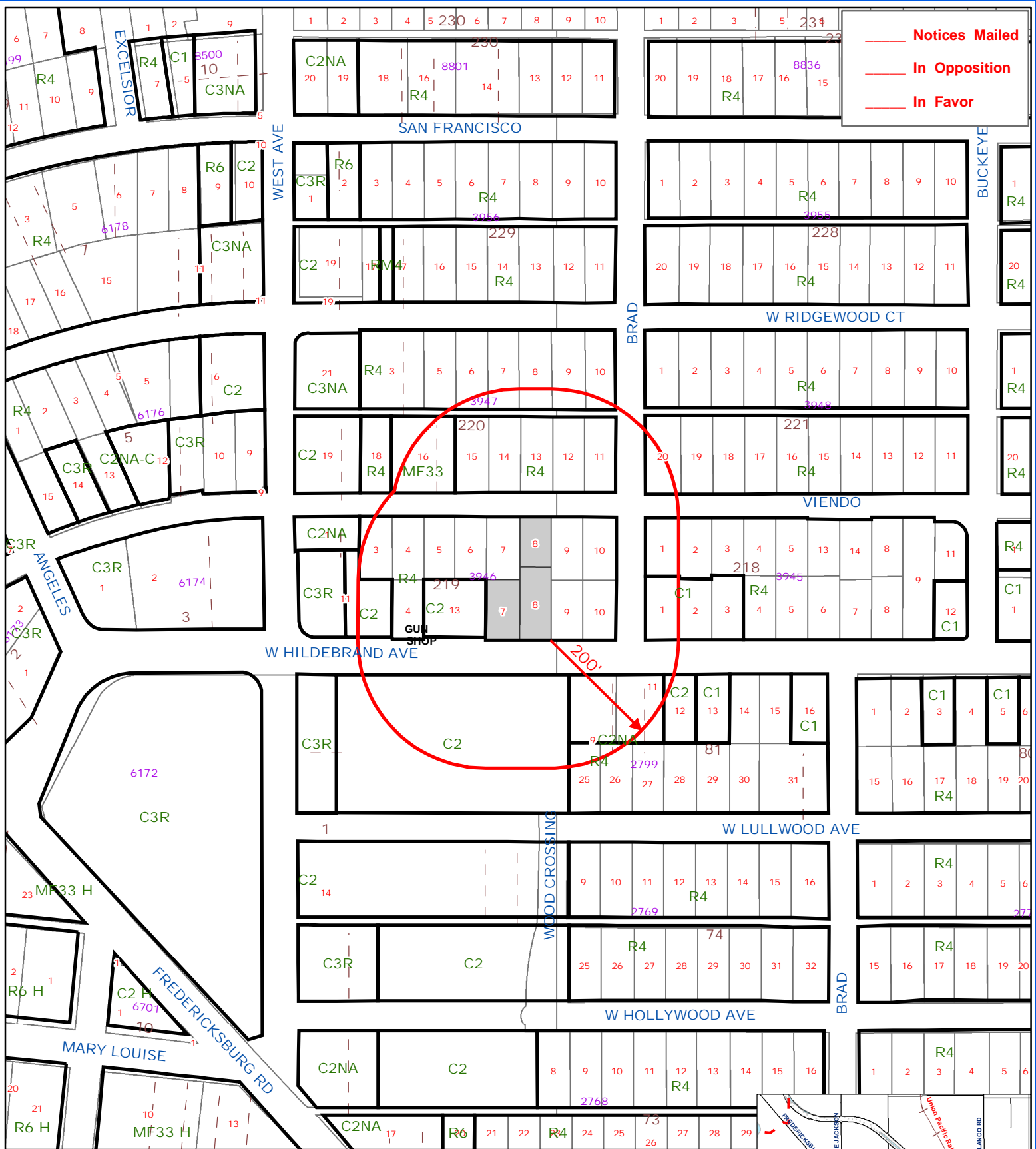
Consistent

The proposed zoning district conforms to the Near Northwest Community Plan. The land use for this site is Neighborhood Commercial.

Approval of the "NC" Neighborhood Commercial District and Denial of the "R-4" (CD-Non-Commercial Parking Lot) pending a site plan review. It is staff's opinion that the site will be too constricted to accommodate a Non-Commercial Parking Lot.

Two of the properties are located on West Hildebrand Avenue a major thoroughfare ( two single-family dwellings) . The other property is located on Viendo a Local Access Street (vacant). The subject properties are adjacent to "R-4" Residential Single-Family District to the east and across Viendo to the north, "C-2" Commercial District to the west across West Hildebrand Avenue to the south (HEB). This district provides small areas for offices, professional services, service and shop front retail uses, all designed in scale with surrounding residential uses. The "R-4" (CD-Non-Commercial Parking Lot) is to construct a Non-Commercial Parking Lot for the businesses. The Non-Commercial Parking Lot will required a fence six feet in height in addition to landscaping.

**CASE MANAGER :** Pedro Vega 207-7980

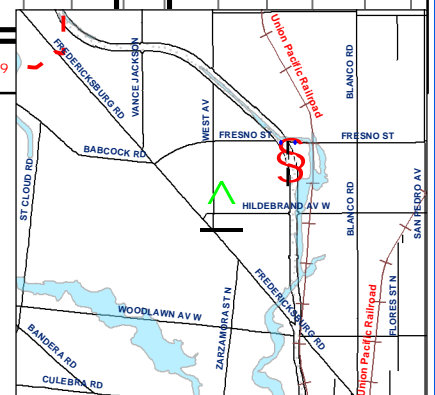


# **ZONING CASE: Z2006-050**

**City Council District No. 1**  
**Requested Zoning Change**  
**From "R-4" To "O-2,R-4 C"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

Subject Property

200' Notification



# CASE NO: Z2006051 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 3

**Ferguson Map:** 650 E6

**Applicant Name:**

Abbey Restoration Inc.

**Owner Name:**

Abbey Restoration Inc.

**Zoning Request:** From "R-6" Residential Single-Family District to "R-4" (CD-Duplex) Residential Single-Family District with a Conditional Use for a Duplex.

**Property Location:** The South 58.1 Feet of Lot 4 and the North 83.4 Feet of Lot 5, Block 12, NCB 7827

133 Handley

West of S. Flores Street Between W. Pyron Avenue and E. Mayfield

**Proposal:** To Renovate and Bring Into Compliance an Existing Duplex

**Neigh. Assoc.** None

**Neigh. Plan** South Central San Antonio Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Consistent

The request is consistent with the low density residential land use designation of the property identified in the South Central San Antonio Community Plan.

Approval

The requested rezone is consistent with the South Central community plan and will result in the elimination of a nonconforming use. The existing use and proposed zoning district are compatible with the neighborhood, as there is an existing mix of single and multi-family dwellings and zoning districts in the general area.

The applicant is requesting a rezone to the R-4 district with a conditional use to bring an existing duplex use into compliance. The duplex, which has a construction date of around 1950, consists of about 1,372 square feet and is located on a 9,514 square feet lot. The applicant has been extensively renovating the structure and has been denied the necessary permits to continue because of the nonconforming use.

The applicant's original request was a rezone to RM-4. However, an approval of that district, although bring the use into compliance, would result in a nonconforming lot as the subject property's frontage measures 142 feet. The bulk standards identified in the RM-4 district restricts the maximum lot frontage to 80 feet. Both the existing R-6 zoning and proposed R-4 zoning allows a maximum frontage of 150 feet, so an approval of R-4 C would bring the use into compliance without creating a nonconforming lot in the process. A simple rezone from the R-6 to the R-6 C district would pose problems, as the lot does not meet the minimum square footage required for two dwellings (12,000).

Most of the properties in the immediate area have R-6, or single-family, zoning. There are, however, several multi-family dwelling units in the immediate vicinity. The property to the north has a triplex (1950) and across the street at 224 W. Pyron, 128 Handley and 403 E. Mayfield are a fourplex and two triplexes built around

# CASE NO: Z2006051 CD

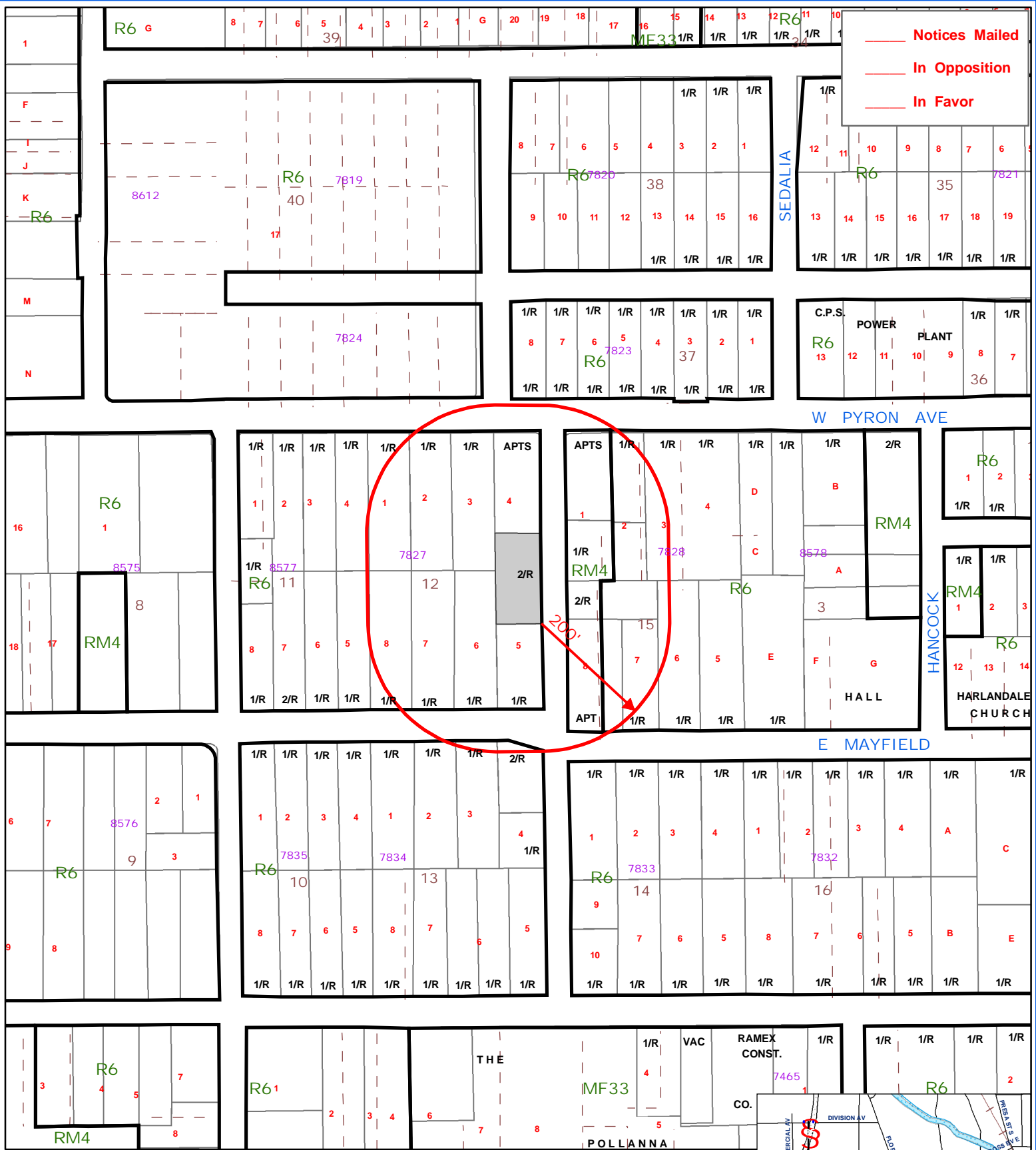
## Final Staff Recommendation - Zoning Commission

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1930, 1935 and 1944, respectively. There is a single family residence (1945) to the south zoned R-6 and a single family residence across the street at 124 Handley (1930) zoned RM-4.

In 1996, there was an area wide rezoning initiated by the city that encompassed an area roughly between IH 35 and IH 37 and north to US Highway 90. Most of the area was rezoned to R-1, which later converted to R-6, and this zoning was appropriate given the majority of existing dwelling units were single family in nature. There were also lots zoned to the R-2 district since there were some multi-family units also in the area. These applications were not necessarily consistent in all cases as shown by the single family unit at 134 Handley that now has multi-family zoning and the multi-family unit at 133 Handley, the subject property, that has single-family zoning.

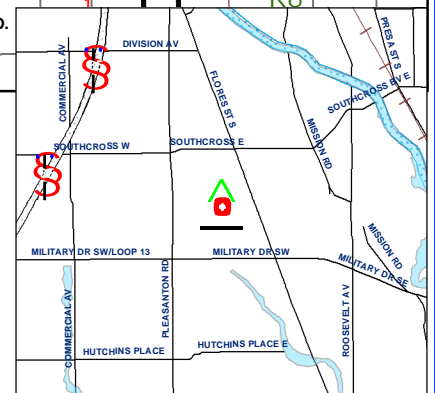
**CASE MANAGER :** Matthew Taylor 207.5876



# ZONING CASE: **Z2006-051 CD**

City Council District No. 3  
 Requested Zoning Change  
 From "R-6" To "R-4" CD  
 Date: March 7, 2006  
 Scale: 1" = 200'

Subject Property  
 200' Notification



# CASE NO: Z2006052

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 1

**Ferguson Map:** 582 C6

**Applicant Name:**

Maria Aguirre

**Owner Name:**

Maria Aguirre

**Zoning Request:** From "R-4" Residential Single-Family District to "NC" Neighborhood Commercial District.

**Property Location:** Lot 16, Block 42, NCB 7217

923 Fresno

West of Fresno and Blanco Road

**Proposal:** To operate a restaurant

**Neigh. Assoc.** Northwest Los Angeles Heights Neighborhood Association

**Neigh. Plan** Greater Dellview Area Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

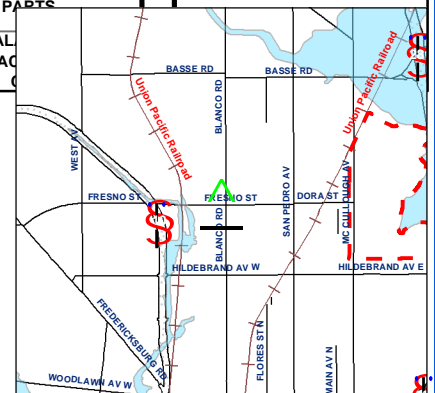
**Staff Recommendation:**

Inconsistent

The Greater Dellview Area Community Plan recommends Low Density Residential uses at this location.

Denial. The proposed zoning is not consistent with the community plan. A key theme championed by the community during the planning process was the curbing of commercial encroachment into residential areas. The plan recommends that neighborhood commercial uses be located at the intersections of residential streets and arterials. R-4 zoning surrounds the subject. Fresno is a major arterial at this location. The current use is a residential home. Staff does not support commercial encroachment in residential areas. Ingress, egress and parking are deterrents to commercial uses at this location. Limited access to this location raises a safety issue.

**CASE MANAGER :** Richard Ramirez 207-5018



# CASE NO: Z2006054 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 7

**Ferguson Map:** 581 A7

**Applicant Name:**

Linda Gamble

**Owner Name:**

Linda Gamble

**Zoning Request:** From "R-5" Residential Single-Family District to "RE" (CD-Retail Nursery) Residential Estate District with a Conditional Use for a Retail Nursery.

**Property Location:** Lot 14 A, Block A, NCB 11530

285 West Quill Drive

North of the intersection of West Quill Drive and Heather Hill

**Proposal:** For retail sales and a small shop for lawn and gardening products

**Neigh. Assoc.** Third World Neighborhood Association (within 200 feet)

**Neigh. Plan** None

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required, however, it may be required at the time of the building permit.

**Staff Recommendation:**

Approval

The subject property is an existing wholesale nursery located on West Quill Drive. The wholesale nursery is permitted by right in the current R-5 zoning district. The surrounding properties are zoned for residential uses. The property to the north contains an established multi-family development and single-family residences are located to the west and east. There is a creek to the east that serves as a natural buffer between the existing nursery and the residential units.

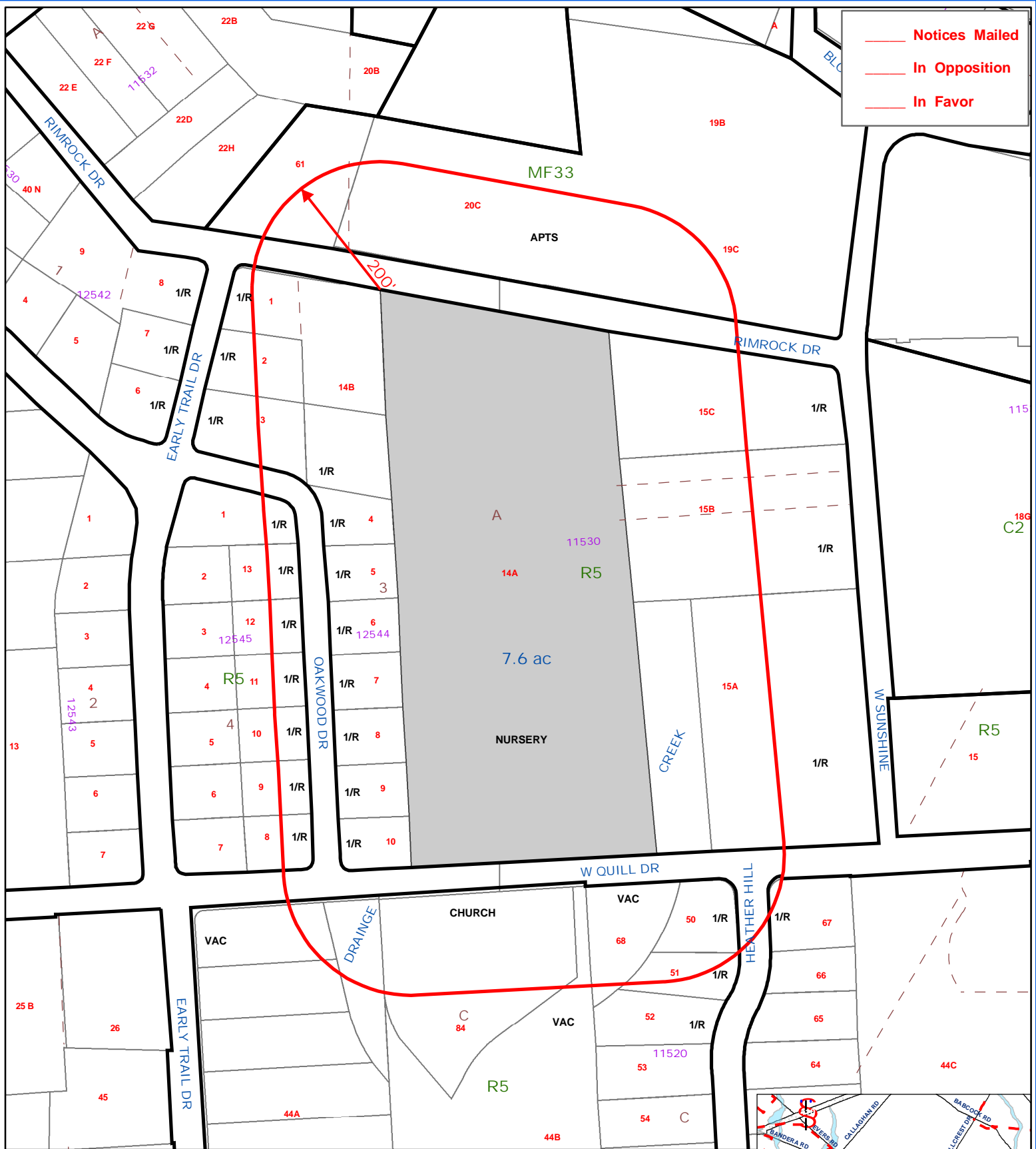
The subject property was previously zoned A Single-Family Residence District. The zoning was converted from A to R-5 Residential District with the adoption of the 2001 Unified Development Code (UDC).

The requested RE CD Residential Estate District with a Conditional Use for a Retail Nursery would be appropriate at this location. The residential properties are naturally buffered from the nursery by a creek and a paper street.

**Conditions:**

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

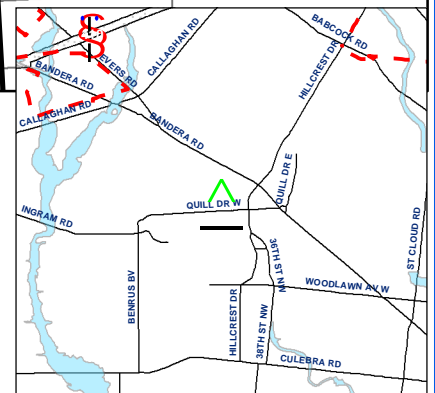
**CASE MANAGER :** Robin Stover 207-7945



# **ZONING CASE: Z2006-054 CD**

**City Council District No. 7**  
**Requested Zoning Change**  
**From "R-5" To "RE C"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

Subject Property  
 200' Notification



# CASE NO: Z2006056

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 7

**Ferguson Map:** 547 F8

**Applicant Name:**

Salah Diab

**Owner Name:**

Milton Zaiontz

**Zoning Request:** From "R-6" Residential Single-Family District to "MF-25" Multi-Family District.

**Property Location:** Lot P-11 D, NCB 17971

Southeast of the intersection of Woodchase Drive and Coastal Lane

**Proposal:** To develop multi family dwellings

**Neigh. Assoc.** None

**Neigh. Plan** Huebner/Leon Creeks Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Consistent

The proposed zoning district conforms to the Huebner/Leon Creek Community Plan. The future land use for this site is High Density Residential.

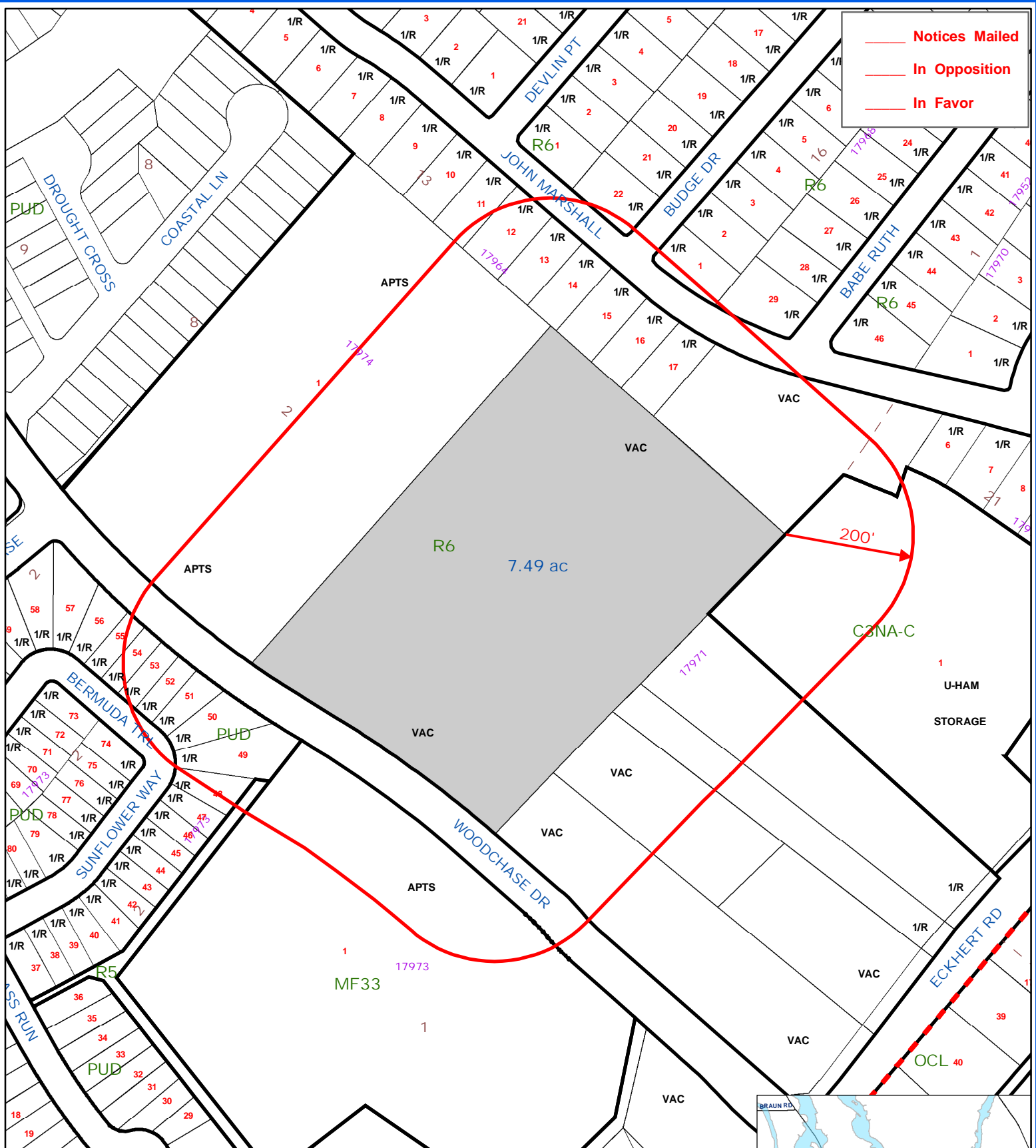
Approval

The surrounding properties are zoned for residential use. The properties to the north, west, and south contain developed apartments.

The property was previously zoned Temporary R-1 Residential District. The zoning was converted from Temp R-1 to R-6 Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC).

The proposed multi-family district is appropriate at this site. The requested zoning district would permit the development of roughly 187 units on the property. The current zoning district would permit the development of roughly 67 units. In addition, the construction of multi-family dwellins at this location would serve as an infill development project. The change in zoning would conform to the surrounding land uses.

**CASE MANAGER :** Robin Stover 207-7945

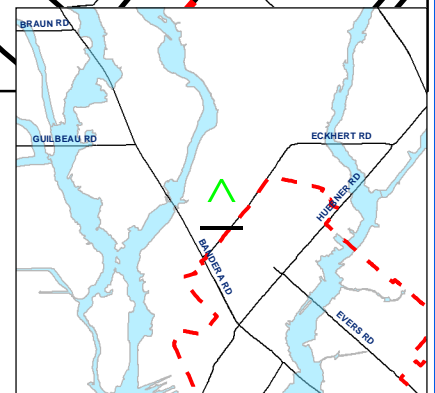


# **ZONING CASE: Z2006-056**

**City Council District No. 7**  
**Requested Zoning Change**  
**From "R-6" To "MF-25"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

Subject Property  
 200' Notification

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# CASE NO: Z2006057

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 7

**Ferguson Map:** 580 C7

**Applicant Name:**

Joey Prado

**Owner Name:**

Joey Prado (Chunky's Burgers)

**Zoning Request:** From "C-2NA" NCD-3 Commercial Nonalcohol Sales District Neighborhood Conservation District-3 to "C-1" NCD-3 Light Commercial District Neighborhood Conservation District-3.

**Property Location:** The south 150 feet of Lot 283, Block 1, NCB 11552

4602 Callaghan Road

Corner of Callaghan Road and Silvercrest Drive

**Proposal:** To serve alcohol in existing restaurant (Chunky's Burgers)

**Neigh. Assoc.** Ingram Hills Neighborhood Association

**Neigh. Plan** Woodlawn Hills Neighborhood Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Woodlawn Hills Neighborhood Plan does not contain a land use plan, a consistency recommendation is not required.

Approval

The subject property is located on Callaghan Road a major thoroughfare. A restaurant (Chunky's Burgers) is currently located on the property. The subject property is adjacent to "C-2NA" NCD-3 Commercial Nonalcoholic Sales District Neighborhood Conservation District-3 to the north (Mexican Restaurant), "R-20" NCD-3 Residential Single-Family District Neighborhood Conservation District-3 to the east and "C-1" NCD-3 Light Commercial District Neighborhood Conservation District-3 across Silvercrest Drive to the south (vacant). The "C-1" NCD-3 Light Commercial District Neighborhood Conservation District-3 is a down-zoning and would be appropriate at this location. The "C-1" Light Commercial District will allow the sales of alcoholic beverages when incidental to consumption of food. "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.

**CASE MANAGER :** Pedro Vega 207-7980

# CASE NO: Z2006058

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 6

**Ferguson Map:** 578 C3

**Applicant Name:**

Marcia S. Munoz

**Owner Name:**

Green Herrington & Howwell LLC

**Zoning Request:** From "R-6" Residential Single-Family District to "C-3 NA" General Commercial Nonalcoholic Sales District.

**Property Location:** Lot 18, Block 1, NCB 17637

10554 Culebra

Mountain View and Rogers Road

**Proposal:** To operate an auto parts store

**Neigh. Assoc.** None

**Neigh. Plan** None

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

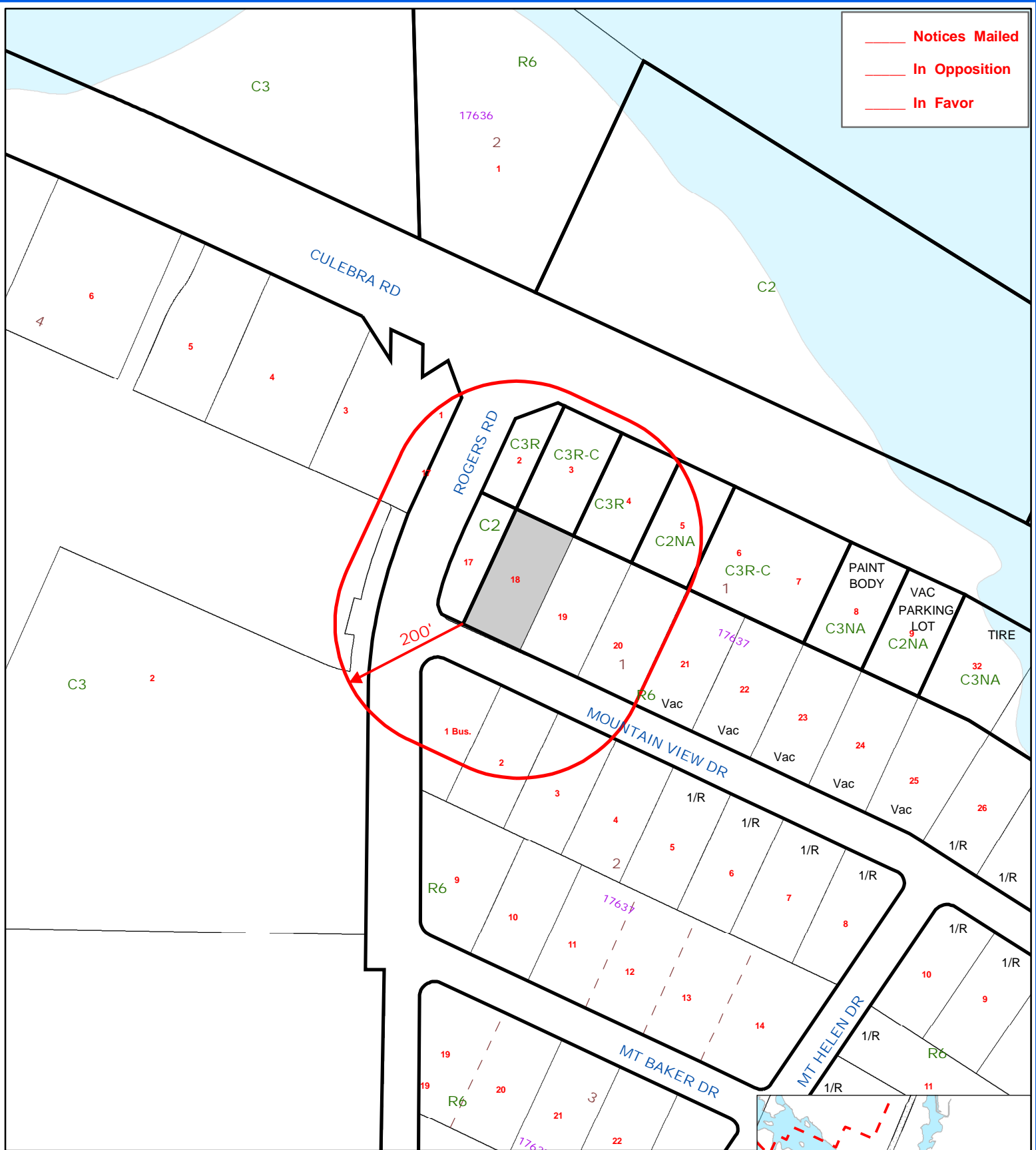
**Staff Recommendation:**

Denial as requested and approval of C-2NA.

The subject has commercial zoning to the north and west. The property to the east is vacant and zoned R-6. The current zoning does not reflect the current uses in the area. Rogers Road has a mix of Light Industrial and Commercial uses.



The subject property is located at the intersection of two arterials, Culebra Road and Rogers Road. Normally C-3 would be recommended at such an intersection. However, this property is located in a residential subdivision. Due to development along the Culebra Road corridor and the extension and upgrade of Rogers Road, this intersection has developed as a commercial node. The property's location in this commercial node may be more suitable for commercial development. C-2 is more appropriate based on its location at the fringe of the residential neighborhood. Furthermore, the proposed use, an auto parts store, is permitted in the C-2 District. The subject has Commercial zoning to the north and west. The property to the east is vacant and zoned R-6. The current zoning does not reflect the current uses in the area. Rogers Road has a mix of Light Industrial and Commercial uses.

**CASE MANAGER :** Richard Ramirez 207-5018

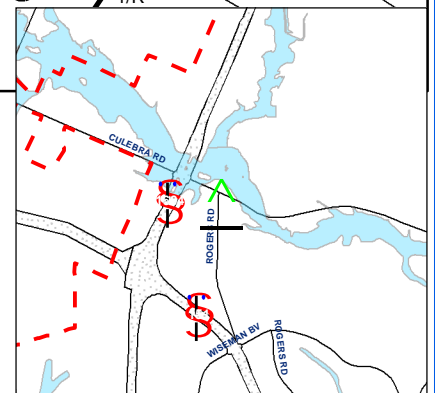


# **ZONING CASE: Z2006-058**

**City Council District No. 6**  
**Requested Zoning Change**  
**From "R-6" To "C-3NA"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

 Subject Property  
 200' Notification

  
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# CASE NO: Z2006059

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 8

**Ferguson Map:** 480 B7

**Applicant Name:**

Kaufman & Associates, Inc.

**Owner Name:**

Zelzer Corporation

**Zoning Request:** From "MF-33" GC-1 Multi-Family Gateway Corridor District-1 to "C-3" GC-1 General Commercial Gateway Corridor District-1.

**Property Location:** 5.028 acres out of NCB 34760

20025 Interstate Highway 10 West

Interstate Highway 10 West, North of Camp Bullis Road

**Proposal:** To Develop a Hotel or Retail Use

**Neigh. Assoc.** None

**Neigh. Plan** None

**Traffic Impact Analysis:**

A Traffic Impact Analysis was submitted with zoning case (Z2006002).

**Staff Recommendation:**

Approval

The subject property consists of about five acres and is to be developed along with 136 acre master planned development in the immediate vicinity recently rezoned to MF-25 and C-3 (Zoning Case Z2006002). In that zoning case, significant portions of the IH 10 frontage to the north and northwest was rezoned from single-family to commercial and multi-family zoning and will be the site of a significant development of mixed uses. Along with this frontage to the north and some portions to the south, the subject property is located entirely within the Gateway Corridor overlay and the design and aesthetic standards that accompany the overlay will be applicable to new development. The Traffic Impact Analysis and restrictive covenants relating to the previous zoning case also apply to this property.

This property was annexed into the city in December of 1998 as part of a large area annexation along West Interstate Highway 10. Presently, there is an occupied single family dwelling on the property (built in 1946) and a 75X75 foot area at the northwest corner leased to SBC Texas and Texas Tower for a communications tower. The property's future use is intended for either retail commercial use or a hotel, and it will be partial to the proposed 136 acre mixed use development that is proposed to include multi-family uses, retail commercial uses, and a medical office complex. Live-work units are also proposed within the development. However, it is probable that this property will only have access to and from the IH 10 access road, so interconnectivity with the rest of the development is unlikely.

To the east, across IH 10, there is a mobile home subdivision zoned MH and to the north are the undeveloped lands mentioned above, recently zoned C-3. Immediately to the west and south is a large property with a single family dwelling zoned R-6. Further south along the frontage of IH 10 is an existing trailer sales lot, Rodeway Inn and fire substation on land zoned C-2.

Given the parcel zoned R-6 that abuts the subject property along the west and south property lines, a Type "C" buffer will be required along these property lines. However, where a fence or wall of at least six feet in

# **CASE NO: Z2006059**

## **Final Staff Recommendation - Zoning Commission**

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height will be required in addition to landscaping along the south property line, along the west, or rear, property line a fence or wall with or without landscaping may be constructed.

**CASE MANAGER :** Matthew Taylor 207.5876



# CASE NO: Z2006060

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 5

**Ferguson Map:** 650 B2

**Applicant Name:**

Southside Credit Union

**Owner Name:**

Southside Credit Union and Edward Flores

**Zoning Request:** From "R-5" Residential Single-Family District to "O-1" Office District.

**Property Location:** South 35 feet of Lot 13; North 90 feet of East 14 feet of Lot 13; South 35 feet of West 22 feet of Lot 14; North 90 feet of West 22 feet of Lot 14; Block 29, NCB 3434

2719 Nogalitos and 110 Linares

**Proposal:** To construct a parking lot and driveway

**Neigh. Assoc.** Palm Heights Neighborhood Association

**Neigh. Plan** Nogalitos/ South Zarzamora Community Plan

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required

**Staff Recommendation:**

Consistent with the Nogalitos/ South Zarzamora Community Plan.

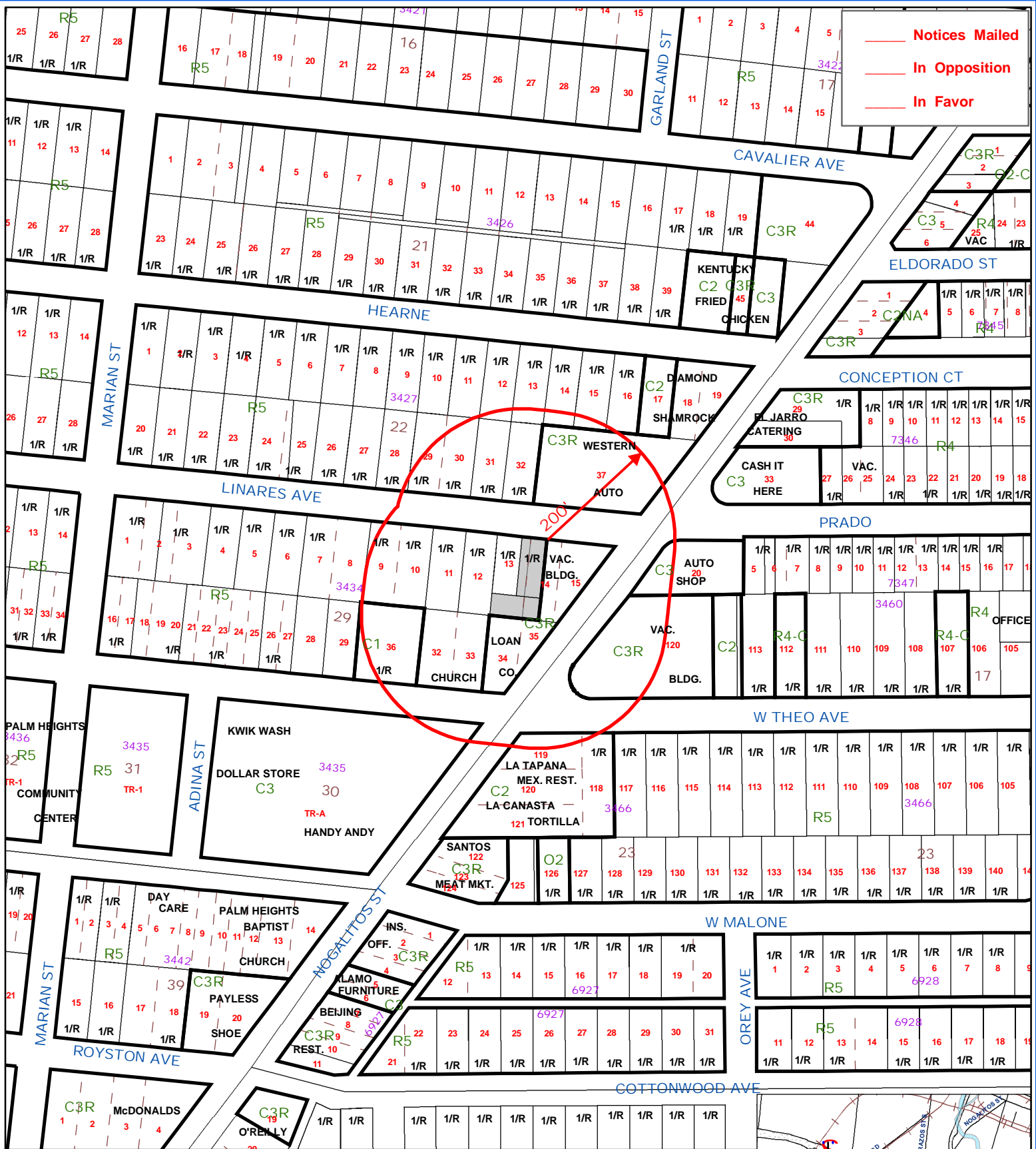
Approval.

Subject property is currently a single-family residence just west of the intersection of Nogalitos Street and Linares Avenue. The subject property is has residential uses to the west and north, the Southside Credit Union (the applicant) to the south, and an undeveloped commercial property to the east.

The subject property was previously zoned A Single-Family Residence District. The zoning was converted from A to R-5 Residential District with the adoption of the 2001 Unified Development Code (UDC).

Staff recommends approval of the rezoning request. The applicant is requesting the rezoning in order to construct a driveway and additional parking for the credit union. The applicant has been made aware that the requested "O-1" zone requires a Type "B" buffer between the subject property and the residential property to the west

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



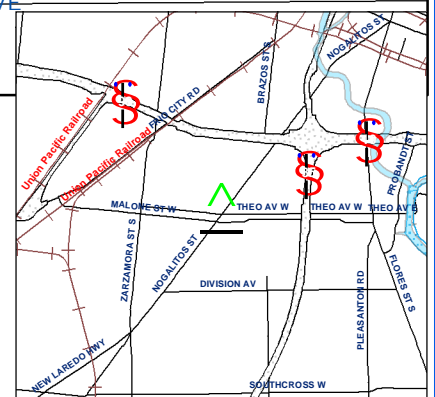
# ZONING CASE: **Z2006-060**

**City Council District No. 5**  
**Requested Zoning Change**  
**From "R-5" To "O-1"**  
**Date: March 7, 2006**  
**Scale: 1" = 200'**

Subject Property  
 200' Notification



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# CASE NO: Z2006062

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 4

**Ferguson Map:** 647 C-1

**Applicant Name:**

Brown, P. C.

**Owner Name:**

Sonrise Church and School

**Zoning Request:** From "C-3" R Commercial Restrictive Alcoholic Sales District and "C-2" Commercial District to "MF-33" Multi-Family District.

**Property Location:** Lots 36 and 37, Block 3, NCB 15176

2902 S.W. Loop 410

Southeast intersecation of S.W. Loop 410 West and U.S. Highway 90 West

**Proposal:** To develop an apartment community

**Neigh. Assoc.** Springvale Neighborhood Association

**Neigh. Plan** None

**Traffic Impact Analysis:**

A Traffic Impact Analysis in not required. One may be required at the plat/building permit stage

**Staff Recommendation:**

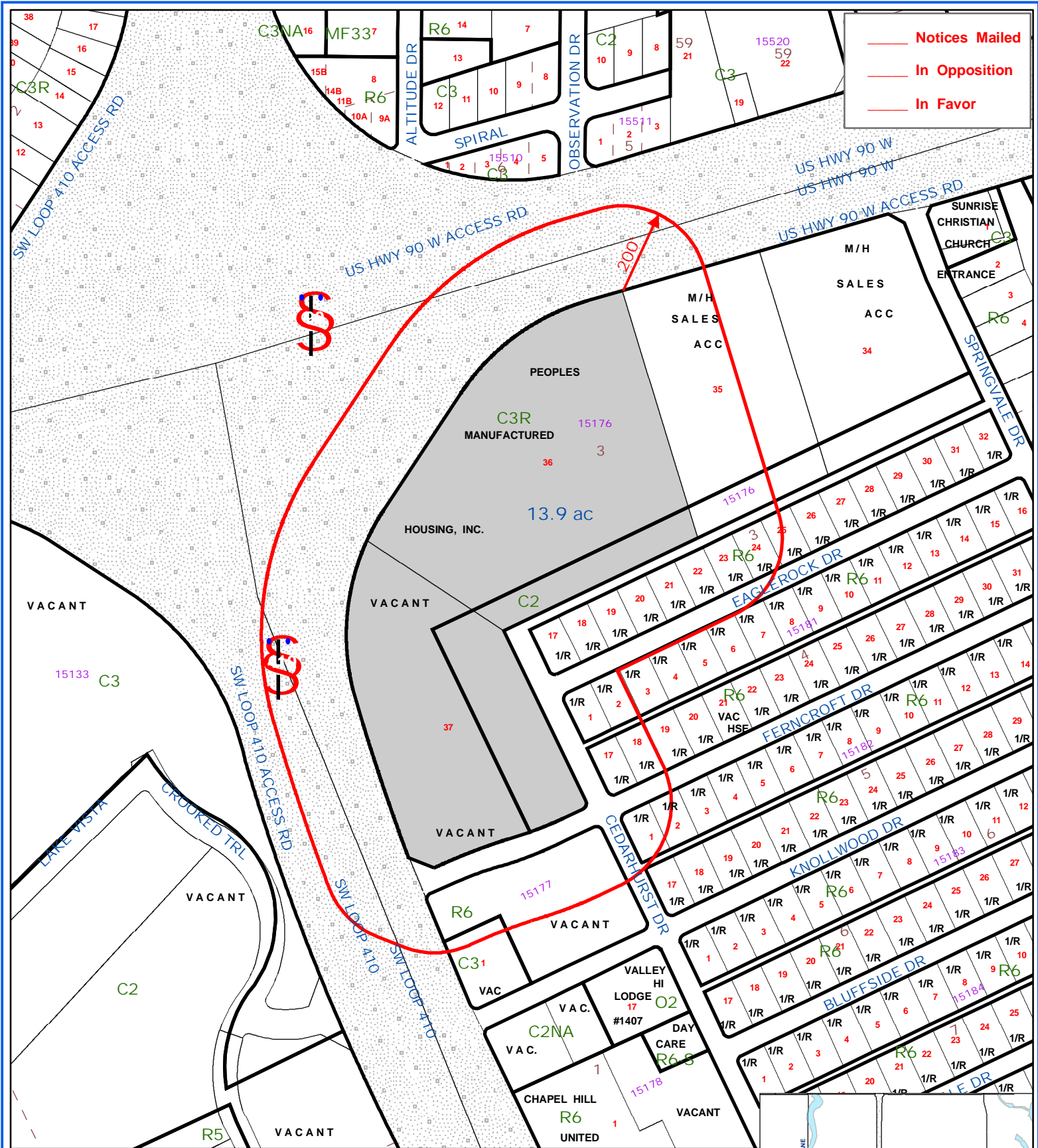
Approval

The subject properties are currently undeveloped and located along the access roads of S.W. Loop 410 West and U.S. Highway 90 West. The properties are adjacent to "R-6" Residential Single-Family District (single-family dwellings to the east and undeveloped to the south) to the south and east.

The subject properties are primarily zoned "C-3" R with an approximate 75 foot buffer of "C-2" between the "C-3" R and the "R-6". The proposed down-zoning to "MF-33" district would be appropriate at this location. There is vehicular traffic ingress and egress along the U.S. Highway 90 Access Road to the north and west and on Ferncroft Drive to the south. Additionally, much like this proposal, the "MF-33" zone is recommended at the periphery of single-family residential neighborhoods.

The subject properties were previously zoned "B-2" and "B-3" R Commercial District. The zoning was converted from "C-2" and "C-3" R Commercial Districts with the adoption of the 2001 Unified Development Code (UDC).

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



# ZONING CASE: **Z2006-062**

City Council District No. 4

Requested Zoning Change  
From "C-3R,C-2" To "MF-33"

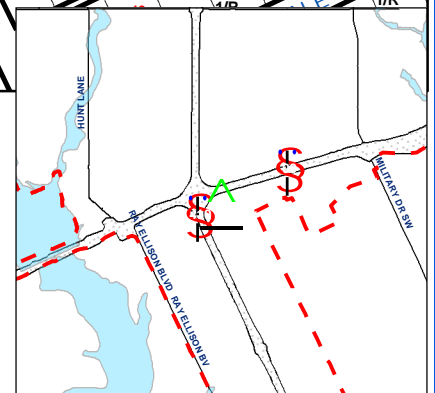
Date: March 7, 2006

Scale: 1" = 300'

Subject Property

200' Notification

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# CASE NO: Z2006064

## Final Staff Recommendation - Zoning Commission

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**Date:** March 07, 2006

**Council District:** 8

**Ferguson Map:** 480 A5

**Applicant Name:**

Brown, P. C.

**Owner Name:**

Sonrise Fellowship of San Antonio, Inc.

**Zoning Request:** From "R-20" GC-1 Residential Single Family Gateway Corridor District-1 to "C-3" GC-1 General Commercial Gateway Corridor District-1.

**Property Location:** 3.357 acres out of NCB 18338

21683 and 21691 Milsa Drive

Northwest Corner of Interstate Highway 10 West and Milsa Drive

**Proposal:** To Develop a Retail Shopping Center

**Neigh. Assoc.** Friends of Friedrich Park (within 200 feet)

**Neigh. Plan** None

**Traffic Impact Analysis:**

A Level-I Traffic Impact Analysis has been submitted.

**Staff Recommendation:**

Denial of C-3, Approval of C-2

The proposed general commercial zoning is most appropriate at the intersections of major thoroughfares where potential conflicts with less intense residential uses are minimal. Although Milsa Drive is classified as a Type "A" Secondary Arterial in the city's Major Thoroughfare Plan and the IH 10 access road is a major road, there are existing single family dwellings along Milsa Drive, including one immediately west of the subject property. Additionally, more than 90% of retail uses and 80% of service-oriented uses identified as permitted uses in the C-3 zoning district are also permitted by right in the C-2 district.

Locally-oriented commercial uses permitted in the C-2 zoning would be more appropriate at this location than the regional uses permitted by a C-3 zoning. Among those regional uses permitted in the C-3 and not in C-2 are nightclubs, dance halls, automobile and truck repair and service, wholesaling, feed stores, indoor flea markets, home improvement centers, body piercing, and tattoo and massage parlors. The applicants are requesting general commercial to develop a retail shopping center.

The subject properties were annexed into the city in 1998 with R-8 zoning, which later converted to R-20 following the 2001 adoption of the Unified Development Code. The gateway corridor overlay was applied in 2003, and both parcels are entirely located within the overlay. The church building on the property dates to the early 1980's and the detached school building with living space dates to about 1955.

The parcel to the south zoned R-20, across Milsa Drive, is presently undeveloped and there are existing single family residences on the north and south sides of Milsa Drive to the west also zoned R-20. To the north are undeveloped lands zoned C-3. These properties were part of a large zoning case (Z2005098) where more than 200 acres were zoned R-6 for a future planned unit development and about 35 acres were zoned C-3. The commercial zoning extends from the frontage of IH 10 to the west and south, at some points extending to the frontage along the westerly portions of Milsa Drive. This residential and commercial zoning, as approved by Council in May of 2005, is in anticipation of the extension of Dominion Drive via overpass to

# CASE NO: Z2006064

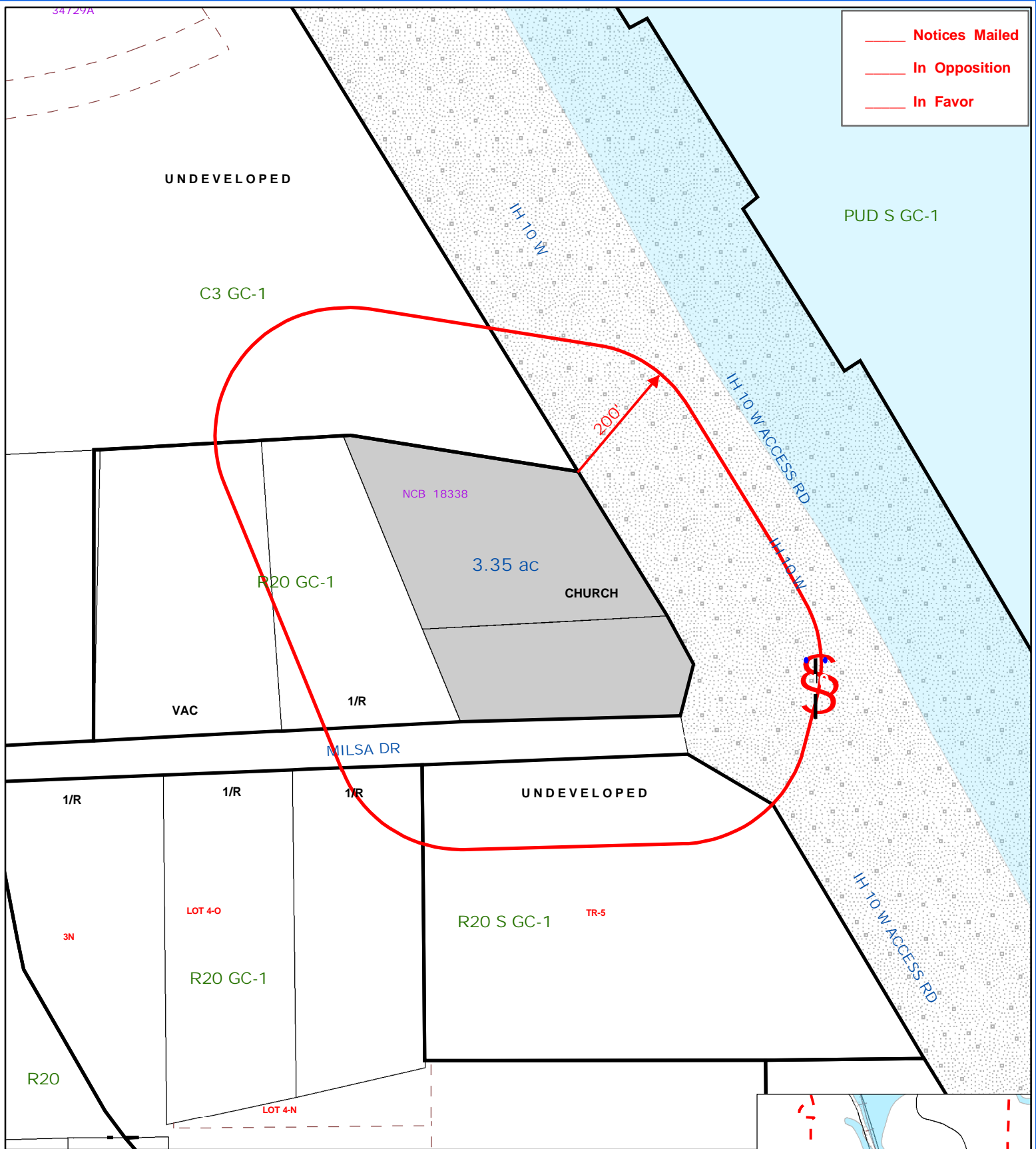
## Final Staff Recommendation - Zoning Commission

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the west side of IH 10 and its continuation along the north/south alignment of Milsa Drive and its extension into Heuermann Road. At present, the frontage of IH 10 from Milsa Drive south beyond Oak Drive remains either R-6 or R-20 single-family residential zoning.

A rezone to C-3 will not require the installation of a Type "C" buffer along the north property line but will require a buffer along the west property line. The installation of a Type "B" buffer would similarly apply with the approval of a C-2 zoning.

**CASE MANAGER :** Matthew Taylor 207-5876



# **ZONING CASE: Z2006-064**

**City Council District No. 8**

**Requested Zoning Change**

**From "R-20" GC-1 To "C-3" GC-1**

**Date: March 7, 2006**

**Scale: 1" = 200'**

Subject Property

200' Notification

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